

URBAN/MUNICIPAL

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M21

1996

MINUTES OF THE
HAMILTON CITY COUNCIL

JAN. 30, 1996

URBAN/MUNICIPAL
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M21
1996

1996 January 30

URBAN MUNICIPAL

FEB 6 1996

GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1996 January 30
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman D. Drury - vacation

Mayor Morrow called the meeting to order.

The National Anthem was played.

Reverend Martin Rule led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 December 12 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented Certificates of Recognition to the following:

- a) Lois Laxton of Lois Laxton Dance Studio for the 50th Anniversary of teaching dance.
- b) Leslie Pasis was honoured by the Province with a 25 year gold pin.

* * * * *

Mayor R. Morrow presented Certificates of Commendation to the following:

- a) Georgina Snelling
- b) Randy Burtch.

* * * * *

Mayor R. Morrow recognized the contribution of Mr. Gary Schwoob who floods and maintains an outdoor ice surface in Mountain Brow Park for the use and enjoyment of the local residents.

DECLARATION OF APPOINTED OFFICE

Deputy Fire Chief Gilbert L. Desjarlais subscribed to the Declaration of Office before Mayor R. M. Morrow.

CORRESPONDENCE

1. Letter dated 1996 January 16 from Fred Loft, General Vice-President, Canadian Union of Public Employees, Local 5, Re: Barricading city parking lots off Barton Street.

Referred to the Finance and Administration Committee.

2. Facsimile dated 1995 December 6 from Russell D. Cheeseman, Holden-Day-Wilson, Barristers and Solicitors, Toronto, Ontario Re: Relocation of CN Stuart Street Rail Yard to Aldershot.

Referred to the Parks and Recreation Committee.

3. Letter dated 1995 December 14 from Jorge Rodriguez, Burlington, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified for Block "1" and for a modification to the "C" (Urban Protected Residential, etc.) District for Block "2" for 832 Upper Wentworth Street, Hamilton, Ontario.

Received.

4. Letter dated 1996 January 9 from 867065 Ontario Inc. Mario Presta for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for 252, 262 and 268 James Street South, Hamilton, Ontario.

Received.

5. Letter dated 1996 January 23 from Mr. J. Spears, Chairman of the Board of Directors of the Hamilton Civic Hospitals respecting the appointment of citizen members of the Hamilton Civic Hospitals Board.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

Section 1 Re: 1996 Road and Sidewalk Capital Improvement Programme

It was moved by Alderman Agro and seconded by Alderman Eisenberger:

- (a) That Section 1 of the Transport and Environment Committee's First Report for 1996 be amended by deleting the figure "\$7,445,000." in Sub-Section (a) and replacing it with "\$5,982,000."; and,
- (b) That Appendix "A" of Section 1 of the Transport and Environment Committee's First Report for 1996 respecting the 1996 Road and Sidewalk Improvement Programme be amended by moving "Cumberland Avenue" from the "Roads and Abutting Sidewalks" section to the "Supplementary List" and that the corresponding estimate totals for each section be amended accordingly.

CARRIED.

* * * * *

Section 26 Re: Purchase Order - 3 M Canada Inc.

It was moved by Alderman Agro and seconded by Alderman Eisenberger that Section 26 of the First Report of the Transport and Environment Committee for 1996 be amended by deleting the words "this expenditure" in the fourth line and replacing them with the following in lieu thereof;

"the estimated expenditure of \$420,000."

CARRIED.

* * * * *

Section 27 Re: By-law No. 94-137: A By-law to Extend the closure of Mead Avenue

It was moved by Alderman Agro and seconded by Alderman Eisenberger that the Transport and Environment Committee's First Report for 1996 be amended by deleting Section 27 in its entirety and replacing it with the following:

- "(a) That the City Solicitor be authorized and directed to amend By-law No. 94-137 to extend the closure of Mead Avenue at a point 757 feet east of the eastern limit of Parkdale Avenue to 1996 March 31st; and,

- (b) That, in accordance with the expiration of the closure, a traffic diversion island be installed at the intersection of Mead Avenue and Brighton Avenue at a cost not to exceed \$5,000. and that City Traffic By-law No. 89-72 be amended accordingly."

CARRIED.

RULE NO. 9

It was moved by Mayor Morrow and seconded by Alderman Agro that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the placement of Sesquicentennial banners along Main Street from Highway #403 to James Street.

CARRIED.

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Section 32 Re: Sesquicentennial banners along Main St. from Hwy #403 to James St.

It was moved by Mayor Morrow and seconded by Alderman Agro that the following resolution be added as Section 32 of the First Report of the Transport and Environment Committee for 1996:

32. (a) That approval be granted for the placement of Sesquicentennial banners along Main Street from Highway #403 to James Street; and,
- (b) That the Commissioner of Public Works and Traffic be directed to co-ordinate with the Sesquicentennial Committee, the Main Street West Esplanade B.I.A., and others necessary, the placement and installation of the banners."

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT

PARKS AND RECREATION COMMITTEE - FIRST REPORT

Section 1 Re: Green Fees - Morgan Firestone - Sesquicentennial Pro-Am Golf Tournament - Waiving of Fees

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 9 Re: Special Events Guidelines - Appendix "B"

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Appendix "B" of Section 9 of the First Report of the Parks and Recreation Committee for 1996 be deleted and replaced with the revised Appendix "B".

CARRIED.

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Section 14 Re: Agreement - Region's Waterworks Pipeline property

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Section 14 of the FIRST Report of the Parks and Recreation Committee for 1996 be deleted in its entirety and replaced with the following recommendation:

- (a) That the Director of Property be directed to negotiate and report back for approval of Council the terms and conditions of an agreement under which the City may receive the permission of the Region to develop the surface of the Region's Waterworks Pipeline property (measuring 66 feet in width and extending from Province Street to Huxley Avenue,) for use as a park in accordance with the concept plan referred to below; and,

- (b) That the concept plan for development of the said park (attached as Appendix "A") prepared by the Parks Division of the Public Works and Traffic Department in concert with the Crown Point East/McAnulty Citizens' Advisory Committee, be approved conditional upon Council approval to the terms of the said proposed agreement and conditional upon the Region entering into the Agreement with the City. Preparation of detailed plans, specifications and tender documents to implement the proposed park improvements (estimated cost of \$200,000.) will be prepared once the said agreement has been approved and signed by the Region. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SECOND REPORT

PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT - 1995

(Negotiations - Scott-MacDonald Limited)

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Section 2 of the Parks and Recreation Committee's Eleventh Report for 1995 respecting negotiations with Scott-MacDonald Limited for a long term lease, adopted by City Council at its meeting held 1995 April 25, and subsequently amended by City Council at its meeting held 1995 October 31 and 1995 December 12 to extend the deadline for negotiations to 1996 January 31, be referred back to the Parks and Recreation Committee. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIRST REPORT

Section 3 Re: New Official Plan Amendment - Lapp Property, 100 Beddoe Drive, Chedoke Neighbourhood

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that the First Report of the Planning and Development Committee to Council be amended by deleting Section 3 and replacing it with the following:

3. That a New Official Plan Amendment application be required for the Lapp Property, 100 Beddoe Drive, Chedoke Neighbourhood because the proposed revisions regarding the Revised Concept Plan are deemed to be major and that the Office of Consolidated Hearings be so advised.

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Wilson, Merling, Anderson. -3.

CARRIED.

Section 5 Re: Demolition Permit - 266-280 King Street East

It was moved by Alderman D'Amico and seconded by Alderman Eisenberger that Section 5 of the First Report of the Planning and Development Committee for 1996 be referred back.

CARRIED.

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Section 6 Re: Commercial Loan - 387 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 7 Re: Commercial Loan - 353 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

Section 8 Re: Commercial Loan - 397 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FIRST REPORT
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Section 2 Re: Liquor Licence Board of Ontario - Ford World Curling Championships

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 2 (a) Re: Liquor Licence Board of Ontario - Ford World Curling Championships - Alcoholic Beverages - GTM Breakfast

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Wilson. -1.

CARRIED.

RULE NO. 9

(917-941 Queenston Road - City of Stoney Creek,
Re: Adult Entertainment Parlour)

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the City of Hamilton's concern over the proposed use of property at 917 - 941 Queenston Road in the City of Stoney Creek which will potentially allow for the operation of an Adult Entertainment Parlour. **CARRIED.**

Section 24 Re: 917-941 Queenston Road - City of Stoney Creek - Adult Entertainment Parlour

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the following resolution be added as Section 24 of the First Report of the Finance and Administration Committee for 1996:

That the Mayor, on behalf of City Council, write to the City of Stoney Creek indicating concern over the proposed use of property at 917 - 941 Queenston Road in the City of Stoney Creek, which will potentially allow for the operation of an Adult Entertainment Parlour on property which abuts a residential area in the City of Hamilton. **CARRIED.**

NOMINATING COMMITTEE - FIRST REPORT

COMMITTEE OF THE WHOLE - FIRST REPORT

(1996 Capital Budget & 1997-2005 Capital Forecast)

RESOLUTION

(Hamilton Parking Authority - Concept Plan - GO Station)

It was moved by Alderman Agro and seconded by Alderman Jackson that the Hamilton Parking Authority be requested to bring its concept plan for a parking facility to support the GO Station to the next meeting of the Finance and Administration Committee. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF FEBRUARY 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman G. Copps be appointed Acting Mayor for the month of February, 1996. **CARRIED.**

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the Committee of the Whole, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 9:10 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 January 30
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. (a) That the proposed 1996 Road and Sidewalk Capital Improvement Programme in the amount of \$5,982,000. as outlined in Appendix "A" attached hereto, be approved; and, **AMENDED.**
(b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation/Environmental Services be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received; and,
(c) That the Commissioner of Transportation/Environmental Services be authorized on an interim basis to proceed with the calling of tenders for projects in the Programme up to a maximum of \$5,000,000. prior to the final Capital Budget approval; and,
(d) That where noted in Appendix "A" construction be undertaken by the Public Works and Traffic Department.
2. That a "No Parking" regulation be implemented on the east side of Mountwood Avenue commencing at a point 54 feet south of Louisa Avenue and extending to a point 73 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "No Stopping" corner clearance on the south side of Crockett Street which commences at East 34th Street and extends to a point 51 feet easterly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing "No Parking" regulation on the south side of Beechwood Avenue which commences at Gage Avenue North and extends to a point 47 feet easterly therefrom, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on West 34th Street commencing at Bendamere Avenue and extending to a point 456 feet northerly on the west side and to a point 463 feet northerly on the east side be extended such that the regulation extends northerly to Leslie Avenue on both sides of West 34th Street and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 34th Street between Leslie Avenue and Angela Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That an "Alternate Side Parking" regulation be implemented on Deschene Avenue between Hester Street and Washington Street, such that parking is prohibited:
 - (i) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,
 - (ii) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That an "Alternate Side Parking" regulation be implemented on Wavell Avenue between Inverness Avenue East and Churchill Avenue, such that parking is prohibited:
 - (i) on the east side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,
 - (ii) on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

9. That a "One Hour Parking Time Limit, 24 Hours a Day, 7 Days a Week" regulation be implemented on the south side of Glenvale Drive between Cranbrook Drive and Garth Street and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That all-way stop control be implemented at the intersection of Jackson Street East and Catharine Street South and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That four-way stop control be implemented at the intersection of Carson Drive and Moxley Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
12. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Walnut Street South commencing at a point 56 feet north of Charlton Avenue East and extending 116 feet northerly and that the City Traffic By-law No. 89-72 be amended accordingly.
13. That the application of Huu Luong, owner of No. 200 Hughson Street North, to lease a portion of the east boulevard of Hughson Street North adjacent to No. 200 Hughson Street North be approved, provided:
 - (a) the application pays the annual fee in accordance with the fee structure approved by the City council on 1986 March 25 (current rate is \$60.82 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14; and,
 - (c) the owner pays a one time \$214. processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
 - (e) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,

- (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
-
- 14. That the existing "No Stopping" regulation on the north side of Vansitmart Avenue which commences 71 feet east of Harmony Avenue and extends to a point 71 feet west of Harmony Avenue, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 15. That the existing "Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of Balmoral Avenue North commencing at a point 300 feet south of Campbell Avenue and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 16.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 67 feet south of the south curb of Wright Avenue and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Jose Figueiredo, No. 82 Leeming Street.
 - 17.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Adeline Avenue commencing at a point 50 feet south of Roxborough Avenue and extending to a point 20 feet southerly therefrom, and on the east side of Adeline Avenue commencing at a point 29 feet south of Roxborough Avenue and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Betty Lees, No. 119 Adeline Avenue.
 - 18.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue commencing at a point 291 feet north of Barton Street East and extending to a point 22 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Giovanni Candelora, No. 210 Gibson Avenue.
19. That the existing "Permit Parking" regulation on the north side of Peter Street commencing at a point 231 feet west of Queen Street North and extending to a point 27 feet westerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
20. That, in accordance with Section 15(1) of the Police Services Act, 1990, William Smith be appointed as a Parking Control Officer.
21. That a purchase order be issued to Fortran Traffic Systems Ltd., Scarborough, for the supply and delivery of traffic signal controllers as and when required in 1996 by the Traffic Division, at the unit prices noted below, being the lowest bid received for sub-sections (a) (b) (c) (d) and (e), in accordance with the specifications issued by Purchasing and Vendor's tender, and to be financed through Traffic Signals Materials Account No. CH56152 75999, to a maximum expenditure of \$550,000. exclusive of taxes:
- | | | |
|-----|---|-----------------|
| (a) | 36 circuit fully actuated solid state controllers | \$6,211.74 each |
| (b) | 24 circuit fully actuated solid state controllers | \$5,396.77 each |
| (c) | 24 circuit pretimed solid state controllers | \$5,295.65 each |
| (d) | Area master controllers | \$2,674.80 each |
| (e) | Communications modules | \$ 449. each |
| (f) | Portable data transfer units | \$3,500. each |
- All prices noted are before the addition of applicable taxes.
22. That a purchase order be issued to U.S.S. Manufacturing, Inc., Renfrew, Ontario, for the supply and delivery of traffic poles, hardware and traffic signal arms as and when required during 1996 by the Traffic Department, as per attached prices, being the lowest of five bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that this expenditure be financed through the Traffic Signals Materials Account No. CH56152 75999.

23.
 - (a) That the existing Commercial Boulevard Parking Agreements registered as Instrument Nos. 151570 and 151569 to the properties at Nos. 8 - 14 and Nos. 24 - 30 East 35th Street be discharged at the property owners expense; and,
 - (b) That the owner of the property be required to execute residential boulevard parking agreements for the properties at Nos. 8, 10, 12, 24, 26, 28 and 30 East 35th Street; and,
 - (c) That the existing boulevard parking space and driveway approach ramp be removed from No. 14 East 35th Street, at the property owner's expense.
24.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Strathcona Avenue South commencing at a point 283 feet south of King Street West and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Alexander, No. 29 Strathcona Avenue South.
25.
 - (a) That a "Permit Parking" regulation be implemented on the east side of East 21st Street commencing at a point 238 feet south of Concession Street and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to David Smeaton, No. 11 East 21st Street.
26. That a purchase order be issued to 3 M Canada Inc., London, Ontario, for the supply and delivery of sign sheeting as and when required during 1996 by the Traffic Department, being the only bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$420,000. be financed through the Traffic Signs Materials Account No. CH56154 75999. **AMENDED.**
27.
 - (a) That the City Solicitor be authorized and directed to amend By-law No. 94-137 to extend the closure of Mead Avenue at a point 757 feet east of the eastern limit of Parkdale Avenue to 1996 March 31st; and,

- (b) That, in accordance with the expiration of the closure, a traffic diversion island be installed at the intersection of Mead Avenue and Brighton Avenue at a cost not to exceed \$5,000. and that City Traffic By-law No. 89-72 be amended accordingly. **REPLACED.**

28. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "B", attached hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "B" be set for the encroachments.
29. (a) That the following City land be incorporated to complete the final street width or to provide access to newly registered subdivision development:
- Rexford Drive Part Block BX Plan M-177; and,
- (b) That the by-law to carry out the incorporation of the said land into the foregoing street be approved; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
30. That Alderman H. Merling and Alderman G. Copps be appointed to represent the City of Hamilton at the Ministry of the Environment and Energy "Hamilton Air Quality Initiative Study" consultation meetings.
31. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-1 A By-law to Amend By-law No. 89-72 to Regulate Traffic

- (b) A-2 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-3 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (d) A-4 A By-law to Incorporate City Land Designated as Part 6 on Plan 62R-13594 into Rexford Drive

32. (a) That approval be granted for the placement of Sesquicentennial banners along Main Street from Highway #403 to James Street; and,
- (b) That the Commissioner of Public Works and Traffic be directed to co-ordinate with the Sesquicentennial Committee, the Main Street West Esplanade B.I.A., and others necessary, the placement and installation of the banners.

ADDED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 January 15

**CITY OF HAMILTON
1996 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME**

<u>A. Roads and Abutting Sidewalks</u>							
<u>STREET</u>		<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>		<u>ESTIMATE</u>	
* Adair Avenue N & S		Quonagan	Kanborough	road resurfacing-sidewalk reconstruction both sides		\$112,000	
Dunkirk Drive		Cochrane	west end	road reconstruction-sidewalk reconstruction and repair-both sides, in conjunction with Regional watermain work		\$311,000	
East 18th Street		Concession	Fennell	road reconstruction-sidewalk reconstruction and repair-both sides, in conjunction with Regional sewer work		\$809,000	
East 38th Street		Concession	Quonagan	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional sewer work		\$296,000	
East 42nd Street		Seventh	McIntyre	road reconstruction-sidewalk reconstruction and repair-both sides, in conjunction with Regional sewer and watermain work		\$468,000	
East 43rd Street		Seventh	Fennell	road resurfacing-sidewalk reconstruction and repair both sides in conjunction with Regional sewer and watermain work		\$156,000	
Grandfield Street		Brimwood	Kingsley	road reconstruction-sidewalk reconstruction both sides in conjunction with Regional sewer and watermain work		\$232,000	
Market Street		Bay	Bay	road reconstruction-sidewalk reconstruction and repair-both sides, in conjunction with Regional sewer and watermain work		\$330,000	
Melbourne Street		Dundas	Loche	road reconstruction-sidewalk reconstruction and repair-both sides, in conjunction with Regional sewer and watermain work		\$364,000	
Paling Avenue		Barton	north end	road reconstruction-sidewalk reconstruction and repair-both sides, in conjunction with Regional sewer and watermain work		\$346,000	
Reid Avenue N & S		Quonagan	Kanborough	road reconstruction-sidewalk reconstruction both sides in conjunction with Regional watermain work		\$407,000	
Seventh Avenue		East 42nd	East 43rd	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional sewer work		\$ 89,000	
TOTAL SECTION A						\$4,830,000	

Revised Appendix "A" to Section 1
of the First Report of the
Transport and Environment Committee
for 1996

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Barton Street East	Kentworth	Seabearno	reconstruction - both sides	\$184,000
Mohawk Road East	Dodson	Upper Wellington	reconstruction and repair both sides	\$53,000

TOTAL SECTION B

\$237,000

C. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
* Geneva Street	Upper James	West 2nd	reconstruction both sides, grade and surface treat roadway	\$61,000
* Marcella Crescent	Sumnercrest	Sumnercrest	reconstruction and repair both sides	\$179,000
* Tindale Court	Quigley	End	reconstruction and repair both sides	\$90,000

TOTAL SECTION C

\$330,000

D. Miscellaneous Projects

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
--------------------	-----------------

166 January
Catchbasin and drain connections in conjunction with Regional sewer projects
Segment Management System - annual update
\$10,000
\$40,000
\$450,000
\$75,000

Street tree planting in conjunction with reconstruction projects

TOTAL SECTION D

\$575,000

GRAND TOTAL

\$6,962,000

* To be undertaken by the Public Works and Traffic Department

E. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
* Cumberland Avenue	Sanford	Gage	road reconstruction-shoulder and curb reconstruction and repair	\$1,463,000
Seventh Avenue	Upper Gage East 43rd	East 42nd East 45th	road reconstruction-shoulder reconstruction and repair- both sides in conjunction with Regional sewer work	\$227,000
Gertrude Street	Gage	Depue	road reconstruction-shoulder reconstruction both sides	\$335,000
Burfield Avenue	Brantwood	Kingsley	road reconstruction-shoulder reconstruction both sides in conjunction with Regional sewer and watermain works	\$223,000
* Dallas Avenue	Upper Gage	west end	reconstruct and repair both sides, regrade and surface street roadway subject to Regional investigation	\$187,000
* Delmar Drive	Daytona	Bendemeere	reconstruct and repair both sides, subject to Regional investigation	\$124,000
* East 27th Street	Concession	Crossett	reconstruction-both sides, regrade and surface street roadway subject to Regional investigation	\$ 93,000
East 44th Street January 1996	Quonsetdale	Fennell	reconstruction and repair both sides subject to Regional investigation	\$181,000
* Omaha Drive	Delmar	Bendemeere	reconstruction and repair both sides subject to Regional investigation	\$119,000
Sanford Avenue North	Barona	Cannon	reconstruction and repair both sides	\$ 89,000
Shaw Street	Victoria	Westworth	road reconstruction-shoulder reconstruction and repair- both sides in conjunction with Regional sewer work	\$480,000
TOTAL SECTION E				\$3,551,000

* To be undertaken by the Public Works and Traffic Department

Appendix "B" as referred to in
Section 28 of the FIRST Report
of the Transport and Environment
Committee for 1996

Location and Municipal Address	Owner	Type of Encroachment	First Year/ Annual
32 Wood Street West	J. C. White	Portion of Building 2.896m x .789m Frame Deck 2.408m x 3.353m	138/20
MacNab Street North (Municipal Address - 34 Wood Street West)	S. M. Partridge	Portion of Building 6.555m x .450m Concrete Paving .853m x 6.492m	138/20
20 Ashley Street	L. Dobai	Concrete Veranda 6.187m x .884m	138/20
49 Keith Street	G. Clark	Wooden Step 1.22m x .15m	138/20

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. That the Commissioner of Public Works and Traffic be authorized to implement a sponsorship program aimed at soliciting funding donations from private sector agencies, community groups, citizens for the planting and maintenance of floral beds and floral traffic islands.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 January 24

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. That, on a one time basis, the green fees for the "Morgan Firestone - Sesquicentennial Pro-Am Golf Tournament" scheduled for 1996 June 7 at King's Forest Golf Course, be waived.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

2. (a) That permission be given to Culture and Recreation Department Staff to deaccession a human skeleton (Inventory Number c.1982.1a) from the Hamilton Children's Museum collection and donate it to McMaster University, Faculty of Health Sciences for use in anatomy education; and,

(b) That the list of office equipment and furnishings attached hereto and marked as Appendix "A", be deaccessioned from the artifact inventory and be transferred to the general museum inventory.
3. That the term of contract for rink board advertising awarded to Street Level Media, previously approved by City Council through adoption of Section 7 of the Seventeenth Report of the Parks and Recreation Committee for 1995 on 1995 September 26 be amended to a term beginning 1996 February 1 to 1997 December 31, with an option at the City's sole discretion to renew for a further three (3) one year terms.

4. (a) That approval be granted to the Community Councils as listed under sub-section (b) to conduct horse drawn sleigh rides, bon fires, skating parties, lumberjack games/demonstrations and various large Winterfest Family activities in their neighbourhood parks; and,
- (b) That permission be granted as required by Section 12, (a) and Section 35 of the Parks By-law No. 95-126, to allow animals and bon fires in Chedoke Winter Sports Park and Pier 4 Park, 1996 February 10 to February 11 and in the specified parks on the dates listed below:

<u>Community Council</u>	<u>Date/96</u>	<u>Location</u>
North Central	January 27	North Central/ Robert Land School
Friends of Gage Park	February 3	Gage Park
Gourley Park	February 3	Gourley Park
Eastmount Park	February 3	Eastmount Park
Gilkson Park	February 3	Gilkson Park
Riverdale	February 4	Warden Park
St. Clair	February 4	Myrtle Park
Eleanor	February 10	Eleanor Park
Strathcona	February 11	Victoria Park

5. (a) That the daily responsibilities for maintenance of greens, ornamental beds, and surrounding lawn areas at Roselawn, Churchill, Mount Hamilton, and Fernleigh Lawn Bowling Clubs be transferred yearly to the Executive Board of each facility; and,
- (b) That funds be transferred from Culture and Recreation, Major Facilities Section, Operating Budgets Account No. CH56398 78315 to each lawn bowling club to be used to retain their own staff during this period; and,
- (c) That the City Treasurer be authorized to transfer amounts totalling \$10,000. to Roselawn Bowling Club, \$10,000. to Churchill Lawn Bowling Club, \$6,000. to Fernleigh Lawn Bowling Club, and \$6,000. to Mount Hamilton Lawn Bowling Club in two instalments payable each year on April 1st and June 1st.

6. That the City Treasurer be directed to pay the rental amount of \$107. to the Ontario Realty Corporation as the Corporation of the City of Hamilton is deemed to be the Overhold Lessee of Parts 4 and 5 Plan 62R-8595, Globe Park, located to the north of Brampton Street and west of Woodward Avenue for recreational purposes.
7.
 - (a) That the Director of Property be authorized to make application to the Building Commissioner for the issuance of a demolition permit for the property at No. 107 Graham Avenue North which is located in the Crown Point East Neighbourhood Park; and,
 - (b) That the cost for demolition be charged to Account No. CH5X921 00102 (Reserve for Property Purchases).
8. That the City Treasurer be directed to carry over 1995 Corporate Donations to the Civic Beautification Awards evening in the amount of \$3,855. and credit this amount to the 1996 Operating Budget Centre 62001, Beautification Honorarium 55416.
9. That the Special Events Guidelines as outlined in Appendix "B" attached hereto, and inclusive of recommendation (a) and (b) be approved for implementation for the 1996 Season of Special Events.
 - (a) That the Special Event Guidelines include a policy whereby Bayfront and Pier 4 Parks will not be available for major special events and left available for free community use every third weekend and; and,
 - (b) That the Special Event Guidelines include a policy whereby Event Organizers must demonstrate significant community wide and/or tourism benefits before being granted full use of Bayfront or Pier 4 Parks.
10.
 - (a) That funding in the amount of \$52,000. to cover the operational expenses of Riverdale Outreach recreational programs be considered by the Current Budget Sub-Committee as an Enhancement Package; and,
 - (b) That pending budget approval, the City Solicitor, Director of Property and the Director of Culture and Recreation be authorized to negotiate rental and/or lease agreements with Eastgate Mall, Board of Education (Lake Avenue School), St. Gregory the Great Church, and property at No. 211 Centennial Parkway for the purpose of providing recreation programs for the Riverdale East Community.

11. (a) That approval be granted to enter into a contract with Patriot Enterprises, being the only bid received in response to a request for proposal closing 1995 December 6, for a period of five years commencing Spring 1996 beginning with King's Forest Golf Course, and terminating in the year 2001, for the supply, installation and maintenance of tee signs for the Hamilton Municipal Golf Courses; and,

(b) That the City Solicitor be authorized and directed to prepare the necessary documents.
12. (a) That the Commissioner of Public Works and Traffic or his designate be authorized to proceed to negotiate with the Royal Botanical Gardens for use of building and land area at the Teaching Garden (Westdale) to provide accommodation for the Dundurn Aviary; and,

(b) That the term of the agreement commence no later than 1996 June 1, to allow re-location from the present temporary housing at the Kenilworth Composite building and no return to the original facilities at Dundurn Castle; and,

(c) That staff report back to Committee on the terms of the agreement and community response to the project following an Open House Information meeting to be hosted by the Royal Botanical Gardens; and,

(d) That staff from the Law Department and Property Department be involved in preparation of a lease agreement between the City and the Royal Botanical Gardens.
13. That the concept plan for St. Christopher's Park as outlined in Appendix "C" attached hereto, prepared by the Parks Division of the Public Works and Traffic Department in concert with the Crown Point East/McAnulty Citizens' Advisory Committee, be approved in order that staff can proceed with the preparation of detailed plans, specifications and tender documents in order to implement at an estimated cost of \$200,000.
14. (a) That the Director of Property be directed to negotiate and report back for approval of Council the terms and conditions of an agreement under which the City may receive the permission of the Region to develop the surface of the Region's Waterworks Pipeline property (measuring 66 feet in width and extending from Province Street to Huxley Avenue,) for use as a park in accordance with the concept plan referred to below; and,

- (b) That the concept plan for development of the said park (attached as Appendix "A") prepared by the Parks Division of the Public Works and Traffic Department in concert with the Crown Point East/McAnulty Citizens' Advisory Committee, be approved conditional upon Council approval to the terms of the said proposed agreement and conditional upon the Region entering into the Agreement with the City. Preparation of detailed plans, specifications and tender documents to implement the proposed park improvements (estimated cost of \$200,000.) will be prepared once the said agreement has been approved and signed by the Region. **REPLACED.**

15. (a) That the existing position of General Foreman Parks West be reclassified to Special Events Liaison; and,
- (b) That as a result of this reclassification the job functions of the General Foreman Parks West relating to parks maintenance be placed under the jurisdiction of the General Foreman Parks East; and,
- (c) That the existing position of General Foreman Parks East be reclassified to General Foreman Parks Maintenance; and,
- (d) That the two Foreman II positions in the Parks Maintenance Section be reclassified to Foreman I; and,
- (e) That the organizational format for the Parks Maintenance Section supervisory level be changed to reflect this re-structuring as outlined in Appendix "E" attached hereto, approved for implementation on 1996 February 1, with referral to the Human Resource Centre respecting job description and salary classifications.
16. That the Department of Public Works and Traffic undertake landscaping of the western end of Mountain Drive Park at Upper Sherman Avenue with the understanding that funding for these improvements come from private sources.

17. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-1 A By-law to Amend Cemeteries By-law No. 8861 Respecting: Revised
Tariff of Charges

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 January 23

Appendix "A" as referred to in
Section 2 of the FIRST
Report of the Parks and
Recreation Committee for 1996

January 8, 1996

Items to be deaccessioned from the Hamilton Children's Museum
Category One: (Office Furniture & Equipment)

Items	Accession No.
1. Desk	LC1984.19.2.4
2. Sound Table	LC1984.1.1
3. Wooden Chair	LC1984.1.1
4. Wooden Chair	LC1984.1.2
5. 2 Magazine Racks	LC1985.1.1-2
6. Newspaper Stand	LC1985.1.3
7. Step-Ladder	XC1984.9.1
8. Wooden Desk Drawer	XC1984.9.1
9. Wooden Desk Drawer	XC1984.10.1
10. Coat Rack	C1985.20.1
11. Table and Four Chairs	C1985.151.1ABCDE
12. Double Sided Easel	C1986.497.1
13. 2 Chairs-Office (Steno)	C1986.544.1.2
14. Chair-Office (Executive)	C1986.545.1
15. 2 Drawer/Lateral Filing Cabinets	C1986.546.1,2
16. Humidifiers	C1986.555.1,2
17. Filing Cabinet-4 Drawer-Letter	C1987.13.1
18. Filing Cabinet-4 Drawer/Shelves/Safe	C1987.14.1
19. Office Side Chair	C1987.15.1
20. Card Cabinet-One Drawer	C1987.16.1
21. Mail Tray	C1987.17.1
22. Letter Scale	C1987.18.1
23. Donation Box	C1987.20.1
24. Air Conditioner and Sleeve	C1987.23.1
25. 8 Office Dividers/6 Large/2 Small)	C1987.24.1-8
26. Paper Cutter-Metal	C1987.32.1
27. 1 Wooden Desk/1 Drawers and 2 shelves	LC1985.51
28. 1 Metal Cabinet/2 Shelves	LC1986.1.1
29. 1 Table/Metal Legs	LC1986.1.2
30. 2 Office Chairs/Secretarial	LC1986.2.1
31. Work Bench with 2 Vices Attached	LC1985.1.5

Items	Accession No.
32. Wall Units/Wood	LC1980.11.1.2
33. Sand Table	LC1980.11.3
34. 3 Secretarial Chairs	LC1978.21-1-3
35. 5 Children's Stools	LC1978.21-4-8
36. 3 Wooden Benches	LC1978.21.-11
37. 5 Wooden Children's Tables	LC1978.21.13-17
38. 30 Metal Folding Chairs	LC1978.23.1-20-31-41
39. 1 Metal Folding Chair	LC1978.23.21
40. 1 Brown Swivel Chair	LC1978.23.23
41. 3 Metal Filing Cabinets	LC1978.23.24-26
42. Mirror	LC1978.24.2
43. 2 Wooden Brown Tables	LC1978.24.3,4
44. Metal Coat Rack	LC1978.24.5
45. Metal File Box	LC1979.29.1
46. Wood and Metal Coat Rack	LC1979.29.3,4
47. Chair/Wooden	LC1979.29.5
48. 2 Tables	LC1979.29.6,7
49. 2 Wooden Easels	LC1979.29.22,23
50. 2 Drawer Metal File Cabinet & Wooden Table	C1979.5.1-3
51. Easel	4-11-1
52. Large Red Ladder	AU22-4
53. Hat Rack	AU22-6
54. 2 Wooden Crates	AU22-8
55. Glass Type Aquarium	11-1982-2A
56. Glass Type Aquarium	11-1982-2B1
57. Glass Type Aquarium	11-1982-2B2
58. 2 Wooden Desks	C1978.2.1,2
59. Wooden Reception Desk	C1978.2.10
60. Metal File Dividers	C1978.2.11-14
61. 1 3-Tray In-Out Baskets	C1980.2.1
62. Metal Letter Separator	C1980.2.2
63. 2 3-Tray Office In-Out Baskets	C1980.2.3,4
64. Wooden Box Unit/3 Shelves	C1980.2.5
65. Wooden Office Table (White)	C1978.2.15
66. White Refrigerator	C1978.2.16

Items	Accession No.
67. Round Glass Mirror	C1978.2.18
68. Tracing Equipment	C1980.2.6
69. 3 Garbage Pails	C1984.150.1-3
70. 1 Drafting Table Top	C1984.150.1.4
71. 1 Drafting Chair	C1984.150.1.5
72. 1 Parallel Rule	C1984.150.1.7
73. 1 Filing Cabinet, Legal Size, Two Drawer	C1984.150.1.8
74. 2 White Topped Metal Framed Tables	C1984.150.1.9,10
75. 1 Stenographers Rolling Office Chairs	C1984.105.1.11
76. 2 Executive Rolling Office Chairs	C1984.150.1.12.13
77. 2 Small Round Tables	C1984.150.1.14,15
78. 1 Large Round Table	C1984.150.1.16
79. 1 Clothing Rack	C1984.150.1.22
80. 1 Translucent Textured Chair Mat	C1984.150.1.23
81. 2 Pair of Curtains	C1984.150.1.24,25
82. Glowboard/Light-Table	C1984.82.1
83. Wooden Table	C1987.215.1-6
84. Wooden Table	LC.1980.11.4
85. Metal Waste Baskets	C1978.2.3-9
86. Remington Typewriter	C1978.2.17
87. Manual Typewriter	C1979.30.1A
88. Portable Cassette Tape Recorder	C1984-3-1
89. Electric Pencil Sharpener	C1984-3-2
90. 53 Rug Samples	C1980.6.1
91. Cash Register	LC1979.29.2
92. Sewing Machine	C1978.4.1
93. Electric Typewriter	C1979.4.1
94. Electric Kettle	C1987.25.1
95. Fan	C1983.30.1
96. Back Projector-Pixmobile	2476
97. Desk Lamp - 3 way clamp	C1987.29.1
98. Electric Fry-Pan	11-1-1
99. Kettle - Proctor Silex	C1983.34.1
100. 2 Flashlights	C1984.77.1,2,3
101. Felt Blinds	C1984.78.1A,B

Items	Accession No.
102. Flashlight	C1984.104.1
103. Flashlight	C1984.105.1
104. Flashlight	C1984.163.1
105. Portable AC/DC Cassette Tape Recorder	C1984.178.1
106. 3-Piece Curtain Set	C1986.352.1A-1C
107. Print Show Slides	C1986.384.1A-1R
108. Slide Projector Time	C1986.388.1A-1B
109. IBM-Typewriter Elements (Assorted)	C1986.551.1-7
110. 5 Tiered Efficiency Trays (Letter Sized)	C1986.552.1
111. Bodium-Bistro Coffee Maker	C1986.553.1A,B,C
112. 2 Fans Oscillating	C1986.556.1,2
113. Light Meter-Sekonic	C1986.624.1
114. Polaroid Spectra Camera	C1986.626.1A,B,C
115. Photographic Developing and Enlarging Kit	C1986.630.1
116. Clipboards (45)	C1986.661-1-117
117. Tripod-Hakuba	C1987.2.1
118. Cash Box - Metal	C1987.3.1
119. Key Control Box - Metal	C1987.4.1
120. Desk Tray-4 Compartment	C1987.5.1
121. Copy Holder-Metal	C1987.6.1,2
122. File Sorter	C1987.27.1
123. Answering Machine	C1987.70.1A-D
124. Plug in Transformer	C1987.100.1
125. Telephone	C1987.100.2
126. 2 IBM Typewriters	LC1986.2.3,4
127. Coffee Maker	LC1985.2.1
128. Coffee Grinder	LC1985.3.2
129. Donation Box	C1988.125.1
130. 3 Electric Cocks	C1989.40.1-3
131. Clock Face	C1991.12
132. 2 Wall Clocks	C1991.25A,B

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Parks and Recreation
Committee for 1996

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CITY OF HAMILTON
GUIDELINES FOR SPECIAL EVENTS
1996 January

I(a) In this set of Guidelines the following Definitions are:

1. Special Event - means annually or infrequently occurring activities that take place within the responsibilities of the Culture and Recreation and Public Works and Traffic Departments
2. Community Event - a special event that does not profit an individual, group of individuals or a "for profit" company.
 - organizations with elected Executive Board, annual meeting and non-profit charitable numbers are eligible.
 - can be held as a fundraising event for benefit of a community group.
3. Non-Community Event - an event that is held for the purpose of business, profit making or promotion of an individual, group or organization or Corporation.
4. City - the Corporation of the City of Hamilton.
5. Region - the Regional Municipality of Hamilton Wentworth
6. S.E.A.T. - Special Events Advisory Team Staff Technical Committee assisting the organizations to fulfil the requirements to hold a special event.
7. Municipal/Regional Properties - all facilities owned/operated by the Corporation of the City of Hamilton and/or the Regional Municipality of Hamilton-Wentworth.
Facilities include, but are not limited to:
 - roads
 - parks
 - parking lots
 - alleyways (assumed and unassumed)
 - City owned lands
 - walkways/pathways/trails
 - road allowance
 - water lots
 - open spaces
8. Police Officer - member of Hamilton-Wentworth Regional Police

9. Fireworks

- (a) "family fireworks" - means low hazard fireworks for recreation that are classed under Class 7, Division 2, Subdivision 1 of the Explosives Act, R.S.C. 1970, c. E-15 as amended, and the Explosives Regulation made thereunder, and includes but is not limited to firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares or marine rockets
- (b) "display fireworks" - means high-hazard fireworks for recreation, including firecrackers, that are classed under Class 7, Division 2, Subdivision 2 under the Explosives Act, R.S.C. 1970, c. E-15, as amended, and the Explosives Regulations made thereunder, and includes but is not limited to rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons.

I(b) SUPPORT STATEMENT

The Corporation of the City of Hamilton and Regional Municipality of Hamilton-Wentworth recognize the importance of Special Events in enhancing quality of life, tourism, culture, recreation, education and in providing economic benefits to local businesses. All of which would not be possible without the invaluable service of volunteers, community groups and sponsors that add their support and skills to enhancing the community events.

I(c) PURPOSE:

The Special Events Guidelines document is a comprehensive manual which outlines all policies, procedures and municipal by-laws which an event organizer(s) must abide by in order to receive approvals to operate an Event. The manual outlines associated fees and charges for related services provided by the City and/or Region.

I(d) BACKGROUND:

Each year the City/Region receives many requests from individuals and groups to operate special events on municipal/regional property. In 1994 over 200 Special Events were administered. These events vary in scope, purpose, size, costs and complexity. The management of special events on municipal properties requires the coordinated efforts of municipal/regional staff to ensure safe event operation and adherence to applicable by-laws, policies and procedures.

All events shall be categorized as either community or non-community events.

Community Events

A special event that does not profit an individual, group of individuals or a "for profit" company and,

Any organization that has an elected Executive Board, an annual meeting and a non-profit or charitable number.

Non-Community Event

An event that is held for the purpose of business, profit making or promotion of an individual group or organization.

The primary characteristics of Special Events are:

- open to the public
- the main purpose is the celebration or display of a specific theme
- takes place once a year or less frequently
- has predetermined opening and closing structures and,
- the program may consist of several separate activities

The Special events may be:

Ethnic
Theatrical
Commemorative
Sporting
Artistic
Festivals
Picnics
Parades/Walkathons
Sidewalk Sales
Street Dance

I(e) GOALS:

1. To provide logistical assistance to Special Events Organizers to operate on municipal /regional properties.
2. Ensure that consistent standards and approach are maintained for all special events throughout the City/Region.
3. To ensure that event applications are evaluated fairly and equitable.
4. To ensure that events are administered in a fiscally responsible manner.

I(f) OBJECTIVES:

1. To work closely with the Economic Development Department in promoting Hamilton as an attractive location to host Special Events.
2. To establish licence agreements and permits between the event organizer and the City/Region for the use of municipal/regional property.

3. To establish criteria and operating policies and procedures which will be reviewed annually by the Special Events Advisory Team.
4. To develop an application form to be used for all events.
5. To establish criteria for managing conflicting Special Events requesting the use of a facility/location on the same date.
6. To prepare recommendations regarding Special Event applications for Committee and Council approvals by the Director of Culture and Recreation and/or Commissioner of Public Works Traffic Departments.
7. To establish criteria to recover relevant costs of services provided by the City/Region and to ensure that appropriate liability insurance is in place.
8. To review and assess each post-event to determine if:
 - standards were adhered to (SEAT guidelines/by-laws)
 - impact the event had on community
 - suggest where improvements could be made for future events

I(g) CO-ORDINATING COMMITTEE - SPECIAL EVENTS ADVISORY TEAM:

The Special Events Advisory Team (S.E.A.T.) consists of representatives of a cross section of City and Regional departments. To ensure all policies, procedures and municipal bylaws are adhered to, each event requires guidance from various City/Regional departments. The coordinated team approach provides "one stop shopping" for event organizers.

The S.E.A.T. Committee consists of members from the:

Culture and Recreation Department
Department of Public Works and Traffic - (Parks Division, Noise Control and Traffic Division)
Fire Department
City Clerk's Department
Treasury Department
Regional Police Department
Regional Health Department
Regional/City Roads Department
Hamilton Street Railway
Economic Development Department

Ontario Hydro
Parking Authority
Property Department (when applicable)
Building Department (when applicable)
Law Department (consultation with)
Environmental Services

II. GENERAL POLICIES AND PROCEDURES

1. The Special Event organizer shall adhere to all policies, legislation, by-laws and regulations.
2. All costs incurred at special events by the event organizer are established by the City/Regional municipalities. These costs include users fees for municipal/regional properties, related administrative services and rental of site amenities such as snow fencing, garbage receptacles etc. Such fees will be reviewed and approved by City/Regional Councils annually. All above mentioned costs are to be paid by the event organizer.
3. Event organizers requesting park permits for events such as: barbecues, picnics, tent erection and selling food and non alcoholic beverages will be issued by the Director of Culture and Recreation, as directed by Council.
4. The Event Operator shall be re-assessed and provide proof of licenses required to operate the event and any further information requested by the Law Department.
5. A "Community Events" organizer must maintain public liability insurance of no less than \$2,000,000., naming the City of Hamilton and/or the Regional Municipality of Hamilton-Wentworth additional insured.

A "Non-Community Events" organizer must maintain public liability insurance of no less than \$3,000,000., naming the City of Hamilton and/or Regional Municipality of Hamilton-Wentworth as additional insured.

The Organizer of an event that includes fireworks and/or amusement rides must maintain public liability insurance of no less than \$5,000,000., naming the City of Hamilton and/or the Regional Municipality of Hamilton Wentworth additional insured.

The Organizer of an event that includes alcohol must maintain public liability which shall include liquor licensed liability of no less than \$5,000,000., naming the City of Hamilton and/or the Regional Municipality of Hamilton Wentworth additional insured.

The Special Event Operator agrees to indemnify and hold the Corporation of the City of Hamilton and/or the Region of Hamilton-Wentworth harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or acts or omissions during the use of the municipal facility. All insurance documents must be acceptable to the City Solicitor of the City and/or the Regional Solicitor prior to the event.

7. The Special Event Organizer must submit a detailed comprehensive plan indicating parking facilities/methods and a list of vendors for approval prior to the event.
8. The Parking at Special Events on Municipal Lands, as per Council Recommendation 1995, September 26 is as follows;
 - a) That the policy to permit event organizers to charge a fee for the parking of vehicles in parks and on municipal parking lots adjacent to parks during special events/festivals be sustained for 1996 and that the Director of Culture and Recreation report annually on this matter.
 - b) That the policy be amended to include a requirement for event organizers to file a complete Income Statement with the Director of Culture and Recreation within 90 days of the completion of their events.
9. The Event Organizer is responsible for clean-up during the event as well as clean-up, removal of all event equipment and garbage. The facility must be restored to its pre-event condition within 48 hours after completion of the event. Longer terms are to be negotiated as necessary.
10. Refreshments shall not be provided to the public in glass containers.
11. The event Organizer agrees to follow the Recycling Policy of the City/Region.
12. The Event Organizer may be required to post a performance bond, 10 days prior to the event, if the City/Region deems it necessary.
13. The Special Event organizers in good standing, shall be given first right of refusal for the use of a municipal property the same date the next year.

14. The Event Organizer is required to provide an adequate number of portable accessible washroom facilities based on expected attendance.
15. The event Organizer shall provide medical and first-aid services.

III. HOW TO MAKE APPLICATION FOR A SPECIAL EVENT

1. Complete and submit a Special Events Application Form (for Park Permits) to the City of Hamilton, c/o Culture and Recreation Department,
71 Main Street West,
Hamilton, Ontario, L8N 3T4.

Complete and submit a Special Events Application Form (for Road Permits) to the Region of Hamilton Wentworth, c/o Roads Department,
6th Floor City Hall, 71 Main Street West
Hamilton, Ontario L8N 3T4

2. Attend a meeting with SEAT to review the application.
3. Annual events application must be submitted by November prior to the event year.
4. Outline how your event will benefit the City of Hamilton and/or Region of Hamilton Wentworth.
5. When making application for Special Events, consideration of the following conditions must be addressed through the Special Events Advisory Team:
 - (a) Temporary Structures/Structures and Tents:
The event organizer shall:
 - obtain a tent permit through the Building Department of the City of Hamilton
 - in addition, an inspector will inspect the tent before your event to ensure that all the specifications laid out in the permit are being followed.
 - (b) Anytime you are holding a special event or gathering, you are expected to provide adequate medical/first aid services.
 - (c) Anytime you are holding a special event that will involve the sale of alcohol to the public, you must:

- at least 60 days prior to your event contact the Liquor Licence Board of Ontario and make an application for the appropriate permit. The LLBO may require Committee and Council approval of your event before a permit is issued.

IV. NOISE POLICY

The amplification of sound for Special Events shall be limited to between the hours of 11:00 o'clock a.m. to 11:00 o'clock p.m. except New Year's Eve Countdown at midnight and fireworks display on July 1st. The cost of a Noise Control Officer at the time of the event is the responsibility of the Special Event Organizer. Non compliance with the City's established noise levels shall result in closure of an event and/or court fines and/or charges.

This policy is subject to change based on site specific guidelines.

V. VENDOR POLICY AND PROCEDURE

1. All vendors, except Craft and Artisans (transient and trades), must be registered with the City Clerk's Department of the City of Hamilton to operate a concession at a special Event on municipal property and will be required to obtain and pay for any required permits.
2. The vendors in Parks, under the Department of Public Works and Traffic's Street Vendor Program, will be allowed to operate during special events at their designated location(s).
3. The City of Hamilton reserves the right to operate its concession services at any Special Event.
4. All vendors must carry a minimum of \$3,000,000. space liability insurance, Non-Profit vendors and/or charitable groups must carry a minimum of \$2,000,000. of liability insurance naming the City of Hamilton and/or the Regional Municipality of Hamilton - Wentworth additional insured.

VI. ALCOHOL RELATED EVENTS

For events where Alcohol is being served the Event Organizer must obtain Committee and Council approval where required in accordance with the LLBO policies, and the Special Event Operators **must:**

1. Obtain a Special Occasion Liquor Permit and provide a copy of the licence to the City /Region 30 days prior the event.

2. Must restrict the sale of alcohol on City/Regional properties to between the hours of 11:00 o'clock a.m. and 11:00 o'clock p.m.
3. Must hire police officers to be in attendance for the duration of the licensed event. The number of officers shall be determined by the Police Department and be relative to the expected attendance and the Fire Department must also be notified of the special occasion permit and the event.
4. The outdoor licensed area must be clearly defined and separated from unlicensed areas by a 42" (1.06m) high barrier.
5. Ensure that at least one person certified under the Smart Serve Program of Ontario is on duty during all hours of operation.
6. Carry public liability insurance of \$5,000,000. including liquor license liability naming the City/Region of Hamilton-Wentworth as named insured.

VII. FIREWORKS

The Organizer must adhere to the City of Hamilton Fireworks By-law by:

- (a) - setting off of "family fireworks" is allowable only on Victoria Day and Canada Day
 - setting off of fireworks restricted to those over 18 years of age unless directly supervised by persons 18 or older
 - family fireworks permitted only on land owned by the person or with written permission from the land owner
 - setting off not allowed into, in or on streets, lanes or other public places (unless permission obtained from the owner/City/Region).
- (b) - setting off or holding displays of "display fireworks" requires a permit from the City of Hamilton. This permit process encompasses insurance, a report from the Fire Chief, certification that a "display fireworks" supervisor is in charge of the display, etc.
 - fully operational fire extinguishing equipment is to be provided and maintained at all times
 - the application for a "display fireworks" permit can be obtained from the City Clerk's Department, Licensing Division. This application is to be

made not less than 30 days between the setting off or the holding of the display.

VIII. HEALTH DEPARTMENT

The Event organizer, when operating food services to the public shall:

- notify the Health Department as to what and how food will be prepared and offered to the public.
- complete Health Department application forms and submit it 60 days prior to the event to the Health Department.
- provide site map illustrating locations of water source, food vendors, washrooms and garbage disposals for approval.
- provide for a minimum of one (1) garbage can at the site and shall dispose of all debris during and immediately at the end of the event.
- After reviewing the application, vendors may be required to attend a meeting with the Health Department prior to the event. A Public Health Inspector will contact the organizer to ensure that all food preparation standards are met and that proper procedures are followed. Copies of all Public Health documents and authorization are to be provided to the City prior to the event.

IX. ONTARIO HYDRO

- The event organizer must contact Ontario Hydro prior to the event (minimum 48 hours) so that a permit is issued for inspection, if required, and discussion of procedures for the event.

X. STRUCTURES/TENTS/TEMPORARY STRUCTURES

Event organizer must apply for a building permit from the Building Department of the City of Hamilton. There will be applicable permit fees, plan examination and structure inspection.

XI. EVENT CHARGES

ITEM	COST	NOTE
Attendants		
Beer Gardens Permit		
Commercial Parkland Rental Fee		
Electric Service Overtime		
Electrical Service		
Major Special Event		
Other		
Snow Fence		
Turf Recovery		
Water Hook-Up, Hydrant		
Water Service		
Any Direct Cost Incurred Because of Special Event Operation		
Utility consumption costs		
% parking revenue		
Signage costs		

XII. MUNICIPAL PROPERTY RENTAL STATEMENT

Municipal property rental fees are as follows (includes parades and road allowance events.) This to be included once Corporate User Fee Policy established.

SPECIAL EVENT GUIDELINES - SITE SPECIFIC

Gage Park

1. Parking is permitted in areas designated on attached plan.
2. All access roads must remain unobstructed and clear for emergency access.
3. Event organizers must supply portable washroom facilities for special events in accordance to the Health Department requirements.
4. During special events/festivals permanent public washrooms will be closed.
5. Noise: amplified sound including set-up, testing and performance will not begin until 11:00 a.m. and will end at 11:00 p.m. on all days of the week save and except Sunday where the (noise) amplified sound will not begin prior to noon and will end at 10:00 p.m.
6. Sound equipment, stage and amplification location including direction of staging and equipment to be approved prior to set up by the Noise Control Officer.
7. Portable Stereo Equipment - must be kept at a volume as not to disturb the peaceful enjoyment by others using the Park.
8. City staff required on site during the festival/event will be paid for by the event organizer.
9. The Vendors in Gage Park under the Department of Public Works and Traffic Street Vendors Program be allowed to operate during Special Events at their designated areas.
10. Admission fees to enter or close the park (or a portion of the park) may be negotiated and mutually agreed upon between the City and event organizer, subject to Council approval.

SPECIAL EVENT GUIDELINES - SITE SPECIFIC

Bayfront Park

1. The event must be seen to demonstrate significant community wide and/or tourism benefits before being granted full use of Bayfront Park.
2. The upper plateau is to be used for set-up.
3. No event set up on plaza area or parking (disabled) area.
4. All asphalt access roads must remain unobstructed and clear for emergency access.
5. Event organizers must supply portable washroom facilities for special events in accordance to the Health Department requirements.
6. During special events/festivals permanent public washrooms will be closed.
7. Vehicles in excess of GVW of 4500 lbs to be limited to the road asphalt area and not turf areas.
8. Noise: amplified sound including set-up, testing and performance will not begin until 11:00 a.m. and will end at 11:00 p.m. on all days of the week save and except Sunday where the (noise) amplified sound will not begin prior to noon and will end at 10:00 p.m.
9. Sound equipment, stage and amplification location including direction of staging and equipment to be approved prior to set up by the Noise Control Officer.
10. Portable Stereo Equipment - must be kept at a volume as not to disturb the peaceful enjoyment by others using the Park.
11. Frequency of events during May - October shall be limited. Every 3rd weekend to be free of events.
12. City staff required on site during the festival/event will be paid for by the event organizer.
13. The Vendors in Bayfront Park under the Department of Public Works and Traffic Street Vendors Program be allowed to operate during Special Events at their designated areas.

14. Admission fees to enter or close the park (or a portion of the park) may be negotiated and mutually agreed upon between the City and event organizer, subject to Council approval. During events the public boat launch area will remain open to the public unless it is determined safety of park users is at risk. i.e. dragon boats, Aquafest/Hydroplane, Canada Day Celebrations.

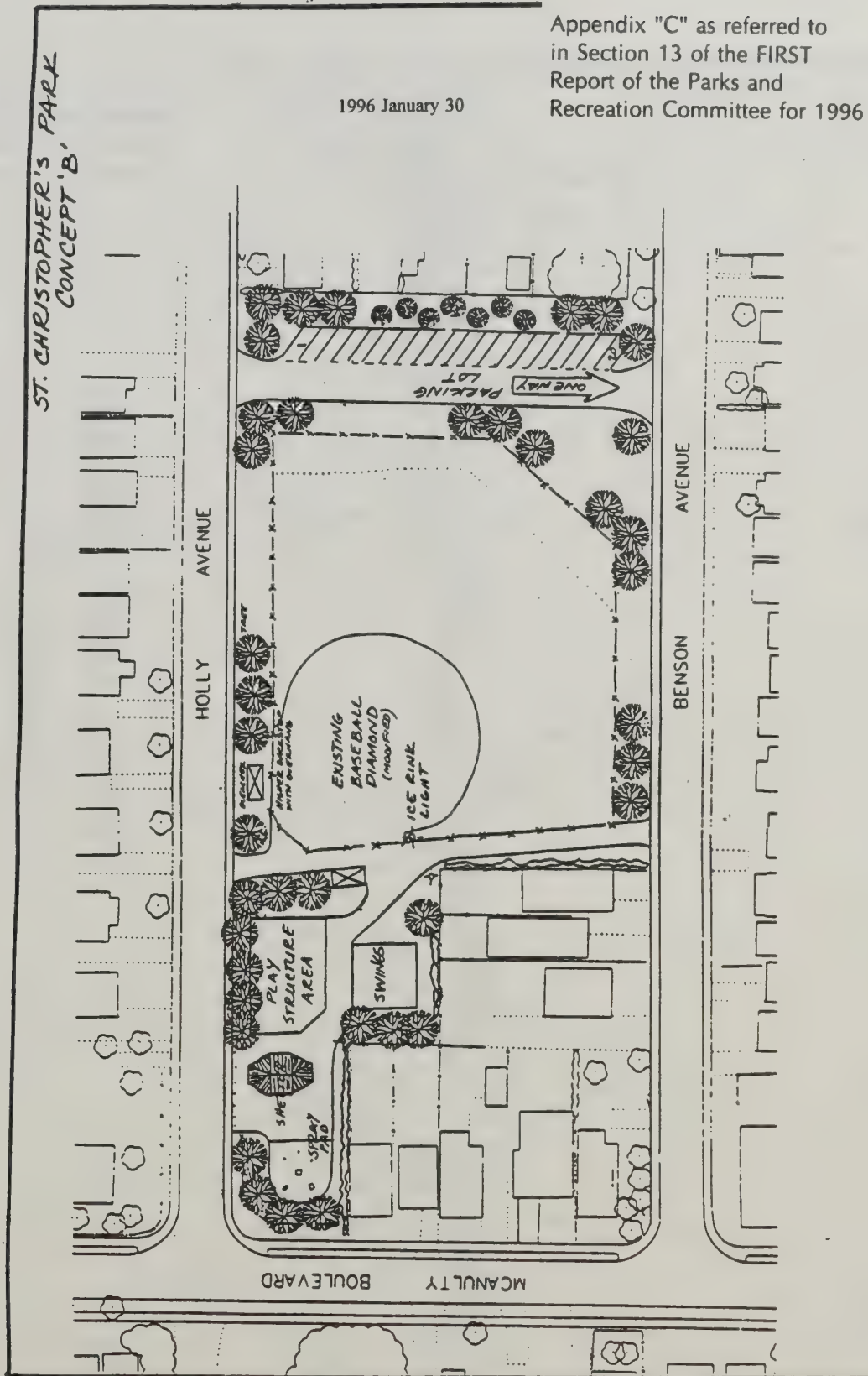
SPECIAL EVENT GUIDELINES - SITE SPECIFIC

Pier 4 Park

1. Rental of Park does not restrict the general public use of: beach area, Tugboat/play structure/spray pad area.
2. Rental of the Park does not include use of the parking lot area.
3. All access roads must remain unobstructed and clear for emergency access.
4. Event organizers must supply portable washroom facilities for special events in accordance to the Health Department requirements.
5. During special events the permanent public washrooms will be closed.
6. Vehicles in excess of GVW 4500 lbs to be limited to the road asphalt and brick paver areas and not turf areas.
7. Noise: amplified sound including set-up, testing and performance will not begin until 11:00 a.m. and will end at 11:00 p.m. on all days of the week save and except Sunday where the (noise) amplified sound will not begin prior to noon and will end at 10:00 p.m.
8. Sound equipment, stage and amplification location including direction of staging and equipment to be approved prior to set up by the Noise Control Officer.
9. Portable Stereo Equipment - must be kept at a volume as not to disturb the peaceful enjoyment by others using the Park.
10. City staff required on site during the festival/event will be paid for by the event organizer.
11. The Vendors in Pier 4 Park under the Department of Public Works Street Vendors Program be allowed to operate during Special Events at their designated areas.
12. Pier 4 Park to be retained for use primarily as a community park.

Appendix "C" as referred to
in Section 13 of the FIRST
Report of the Parks and
Recreation Committee for 1996

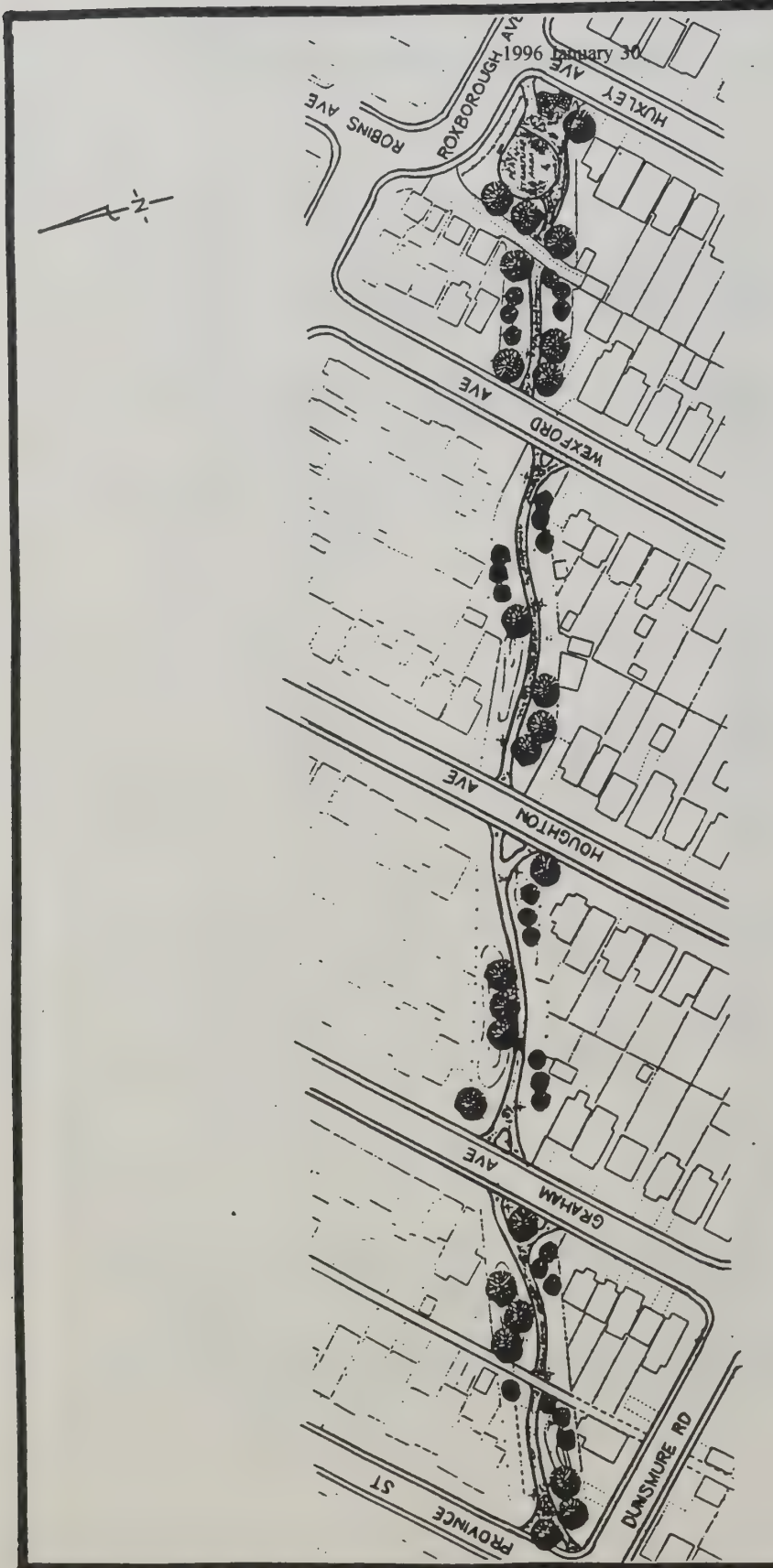
1996 January 30



Appendix "D" as referred to in
Section 14 of the FIRST
Report of the Parks and
Recreation Committee for 1996

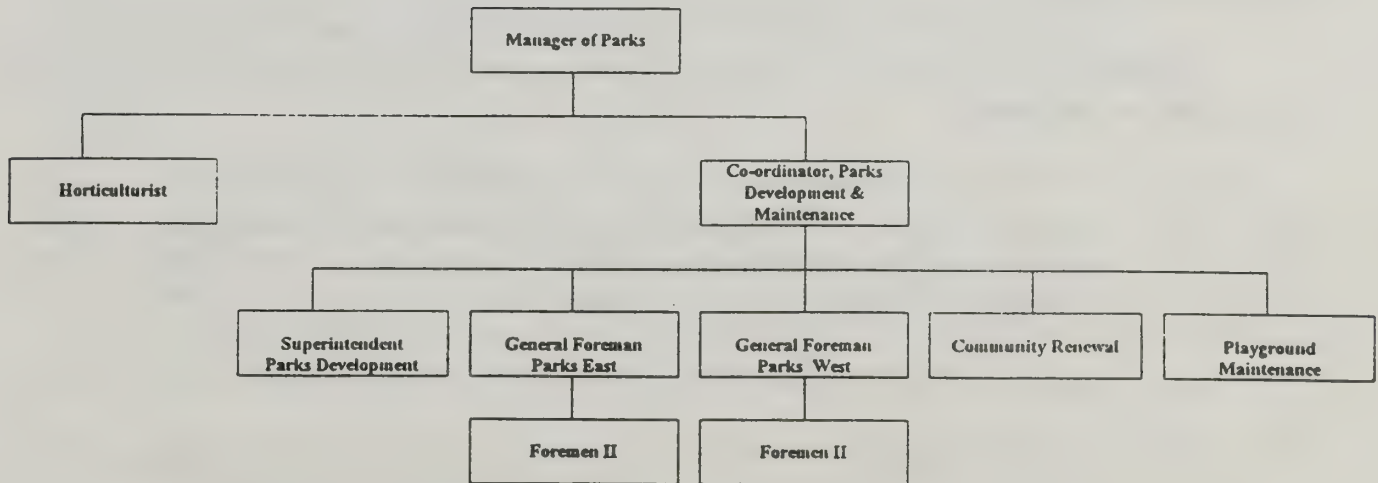
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PLAN OF PIPELINE PARK CONCEPT

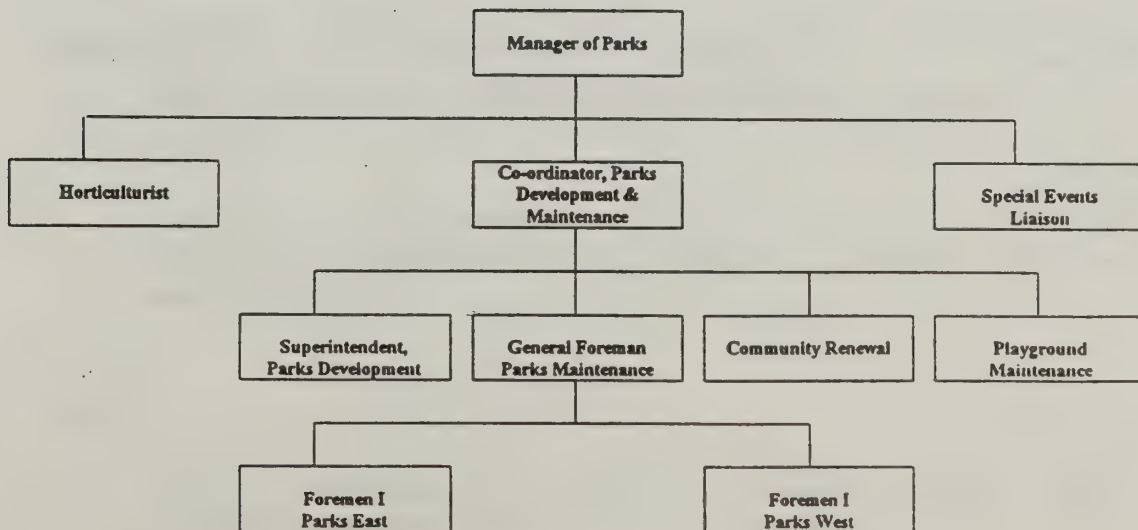


EXISTING STRUCTURE - 1995

Appendix "E" as referred to in
Section 15 of the FIRST
Report of the Parks and
Recreation Committee for 1996



PROPOSED STRUCTURE - 1996



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. (a) That the contract between the City of Hamilton and Contemporary Leisure Canada Inc. (Recreation Services International) for the management of the Chedoke Twin Pad Arena be terminated; and,
- (b) That appropriate City staff be authorized to do all things necessary thereto; and,
- (c) That the Director of Culture and Recreation be authorized to implement the interim operations plan attached hereto as Appendix "A"; and,
- (d) That the Chief Administrative Officer prepare a report on the process and timetable required to conduct a Request for Proposal for the Management of the Chedoke Twin Pad Arena.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 January 30

INTERIM OPERATIONS PLAN

Following Council's decision to issue a Termination of Notice to Recreation Services International, City staff will implement an Interim Operations Plan as follows:

Day 1:

1. Staff from the Law Department will issue the Termination of Notice
2. Staff from the Culture and Recreation and Property Departments will travel to the Twin Pads to secure a listing of all rental information and other pertinent records. As well, a thorough inspection of the premises will take place to confirm the status of plant and equipment. All City assets will be secured and RSI assets seized.
3. City officials will contact officials of RSI to commence negotiations to sever the relationship in a professional manner.
4. Staff from the Culture and Recreation Department will contact representatives of Iceco and commence negotiations. The City Solicitor to prepare necessary agreement.
5. Commissioner of Human Resources to provide a briefing to the Presidents of Local 5, 167 and 1041.

Days 2 through 5:

1. Staff from the Treasury will finalize amounts owing to the City by RSI.
2. Culture and Recreation staff to confirm RSI accounts payable for inclusion in Treasury summary.
3. One Culture and Recreation CUPE Local 1041 Arena Manager will be posted to the Twin Pads for orientation and training by Property Department staff. Gary Makins to be assigned to assist.

Day 6:

1. Notice of Termination of Contract to be issued by the City Solicitor and date for departure of RSI staff confirmed.
2. Iceco staff to be on-site to takeover maintenance function.

3. Letters issued to all permit holders and suppliers indicating change in status of the management of the facility.
4. City oversight of management of the facility established with ice-making and custodial services provided by Iceco.
5. The Treasurer to set up a separate cost centre to capture expenses and revenues during the transition period.

This interim operations plan will stay in place until Council awards a new contract for the management of the Twin Pads.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application 95-28, A. Hemstreet, owner, for a further modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the temporary use of lands and the existing building for the sale of new and used automobiles for a further three year period, for property located at No. 1492 Upper James Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, as amended by By-laws Nos. 86-201, 90-227 and 92-160 applicable to the subject lands, be further modified in accordance with Section 39 of the Planning Act, R.S.O. 1990, to permit the temporary use of the lands and the existing building(s) only, for the sale of new and used automobiles for a further maximum period of three years;
 - (ii) That notwithstanding Section 9.(1) of By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of By-law No. 6593;
 - (iii) That notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a minimum 3.0 m wide landscaped planting strip shall be provided and maintained only along the northerly lot line; and,
 - (iv) That notwithstanding Section 18(3)(ivc)(c) of Zoning By-law No. 6593, no visual barrier shall be required;
 - (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-939c, and that the subject lands on Zoning District Map W-9D be notated S-939c;

- (vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;
 - (vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) That Section 8. of the Second Report of the Planning and Development Committee for 1993, respecting changes in zoning from "AA" (Agricultural) District, "C" (Urban Protected Residential, etc.) District and "C" (Urban Protected Residential, etc.) District modified, to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified, to permit commercial uses including a multiple bay, coin operated car wash, for lands located at Nos. 1492 and 1500 Upper James Street, as shown on the attached map marked as Appendix "B", be repealed in its entirety.
2. (a) That approval be given to Amended Zoning Application 95-30, Harley Knight, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, for Block "1", and a modification to the established "AA" (Agricultural) District regulations, for Block "2", to permit development of Block "1" for two single-family dwellings fronting onto Bordeaux Court and to retain the existing dwelling on Block "2", for lands located at No. 371 Rymal Road East, as shown on the attached map marked as Appendix "C" on the following basis:
- (i) That Block "1" be rezoned from "AA"(Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (ii) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:
 - (1) That notwithstanding Section 9.(4) every lot shall have a width of at least 11.6 m and an area of at least 360 m²;
 - (iii) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, applicable to Block "2," be modified to include the following variance as a special requirement:

- (1) That notwithstanding Section 7A (4) every lot shall have an area of at least 1,200 m².
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1352, and that the subject lands on Zoning District Map E-18D be notated S-1352;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D for presentation to City Council; and,
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
3. That a New Official Plan Amendment application be required for the Lapp Property, 100 Beddoe Drive, Chedoke Neighbourhood because the proposed revisions regarding the Revised Concept Plan are deemed to be major and that the Office of Consolidated Hearings be so advised. **REPLACED.**
4. That in accordance with the provisions of the City's Ground Lease to the Lessee, Second Real Properties Limited, (formerly Second Phase Civic Square Limited), the City, as Lessor, grant its approval to a second mortgage of the Ground Lease being made by our Lessee, as borrower, in favour of Royal Trust Corporation of Canada, Mortgagee, in the amount of five million dollars, at an interest rate not exceeding 9%, for a term of five years, subject to the following conditions:
 - (a) That the Leasehold Mortgage is subject to the rights of the City as Lessor under the Ground Lease dated 1975 November 19, entered into between the City as Lessor and Second Real Properties Limited as Lessee; and
 - (b) That the five million dollar Mortgage shall be a second mortgage in favour of Royal Trust Corporation of Canada, Trustee for The Standard Life Assurance Company; and
 - (c) That Royal Trust Corporation of Canada and Second Real Properties Limited, (together with its two assignees, Masbro Development Limited and Second Phase Enterprises Inc.,) enter and deliver to the City;
 - (i) the City's Lloyd D. Jackson Square Consent to Mortgage Agreement, in which the Mortgagee agrees to be bound by the Ground Lease if it were to take over the Lease;

- (ii) an Undertaking to the City to abide by the obligations of Second Real Properties Limited under the Hotel Interface Agreement dated 1984 July 30; and
 - (d) That the Mayor and City Clerk be authorized to execute the City's Consent Agreement in a form satisfactory to the City Solicitor. The Agreement shall be registered on title to the premises leased from the City by the Lessee.
5. That the Building Commissioner be authorized to issue a demolition permit, as per Section 33 Chapter 1(7) of The Planning Act for the building located at 266 - 280 King Street East in accordance with By-Law 74-290 subject to the following conditions:
- (a) That the new building to be substantially completed on the site not more than two years from the day demolition of the existing residential property is commenced; and,
 - (b) That failure to complete the new building within the time specified, the City shall collect the maximum sum of \$20,000. for each of the 17 dwelling units in a like manner as municipal taxes. The condition for redevelopment shall be registered on title in accordance with the provisions of the Planning Act.
 - (c) That the demolition permit be issued only upon issuance of a building permit.
REFERRED BACK.
6. (a) That a Commercial Loan in the amount of eight thousand, three hundred and seventy dollars (\$8,370.) to Antonio, Luisa, Rosie, Sandra and Livia D'Addario, as joint tenants, for improvements to 387 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 per cent, amortized over 10 years; and,
- (b) That a grant from the Barton Street Revitalization Fund in the amount of four thousand, one hundred and eighty-five dollars (\$4,185.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

7. (a) That a Commercial Property Improvement Loan in the amount of twelve thousand, one hundred and five dollars (\$12,105.) to George Nikolica and Nedelyka Nikolica for improvements to 353 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Loan Program. The interest rate is set at 4 per cent, amortized over 10 years; and,
- (b) That a grant from the Barton Street Revitalization Fund in the amount of six thousand and fifty-two dollars (\$6,052.) be utilized to pay-down this Commercial Loan as per the terms of the Barton Street Revitalization Program.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

8. (a) That a Commercial Property Improvement Loan increase of three thousand, five hundred and forty dollars (\$3,540.) to Sang-Kuen Jun and Wae-Sook Jun for improvements to 397 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Program. The total loan will be \$14,972. The interest rate is set at 4 1/8 percent, amortized over ten years, and;
- (b) That an increase in grant from the Barton Street Revitalization Fund in the amount of one thousand, seven hundred and seventy dollars (\$1,770.) be approved to pay-down the increase in Commercial Loan as per the terms of the Barton Street Revitalization Program.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, eight hundred and forty-five dollars (\$1,845.) be approved for Debra Cole, 146 Berkindale Drive, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and twenty-five dollars (\$1,725.) be approved for Julia Jakubiak, 34 Franklin Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
11. That a loan increase of \$353. be approved for Mr. and Mrs. K. Nunes, 74 Burlington Street East, under the Hamilton Emergency Loan Program (H.E.L.P.). The total loan is now \$1,402.
12. That the Building Commissioner be authorized to issue a demolition permit for 211 Beach Boulevard in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
13. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-95-236, respecting property located at No. 110 Bowman Street.
14. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to approve Application No. A-95-257, respecting property located at No. 400 Queensdale Avenue East (Inch Park Arena).
15. That the appropriate staff (e.g. Law and Planning Departments) not attend the Ontario Municipal Board hearing on 1996 January 29 in support of the Committee of Adjustment decision to deny Application No. A-167/94, respecting property at 43 Albermarle Street.
16.
 - (a) That the Region be requested to approve the application by B.J. Clark, agent, to extend draft plan approval for "Battleridge" subdivision under Regional File No. 25T-76024 for a further one (1) year period to 1997 February 28; and,
 - (b) That the Region of Hamilton-Wentworth be advised that the City of Hamilton has no objection to the inclusion of an additional condition that the owner provide any easements to the Regional Municipality of Hamilton-Wentworth as required by the Region in order to provide servicing to adjacent developers; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

17. That the City of Hamilton accept the sum of \$ 15,000.00 as a cash payment in lieu of the 5% land dedication in connection with Eleanor Heights Addition - Phase 2, Hamilton, located in the Eleanor Neighbourhood north of Brenda Street and Bolzano Drive, south of Stone Church Road East, being the cash payment required under Section 51 of the Planning Act.
18. (a) That the 1996 operating budget of the Westdale B.I.A. (attached as Appendix "D") be approved in the amount of thirty-five thousand dollars (\$35,000); and,
 - (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1996 budget as referenced in (1) above; and,
 - (c) That the following Schedule of Payments for 1996 be approved.

January 01	\$11,000.
March 01	\$ 8,000.
June 01	\$ 8,000.
September 01	\$ 8,000.

NOTE: 1995 Levy arrears will be deducted from the payments for 1996

19. (a) That the 1996 operating budget of the Concession Street B.I.A. (attached as Appendix "E") be approved in the amount of ten thousand, one hundred dollars (\$10,100.); and,
 - (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1996 budget as referenced in (1) above; and,
 - (c) That the following Schedule of Payments for 1996 be approved:

January 01	\$2,525.
March 01	\$2,525.
June 01	\$2,525.
September 01	\$2,525.

NOTE: 1995 levy arrears will be deducted from the payments for 1996.

20. That the City of Hamilton respectfully requests CN Railway to continue heating the CN Railway Station located on James Street North at a minimal level sufficient to prevent further deterioration, for the purpose of preserving the upgraded condition of the building and thereby maintaining its economic and cultural value.
21.
 - (a) That the City Council request the Region of Hamilton-Wentworth to implement the previously requested delegation of authority for consents to the City of Hamilton effective 1996 May 1; and,
 - (b) That the City Clerk notify the Regional Clerk and the Regional Commissioner of Planning and Development of Council's decision.
22. That the City request the Ontario Municipal Board to amend Zoning Bylaw 94-178, 180 Walnut Street South such that the bylaw will be effective for a two (2) year temporary period commencing on the date of the Board's decision.
23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-01 By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 412 Aberdeen Avenue.
 - (b) C-02 By-law to Amend Zoning By-law No. 6593 As Amended by Zoning By-law No. 93-143 Respecting Land Located at Municipal No. 29 Severn Street.

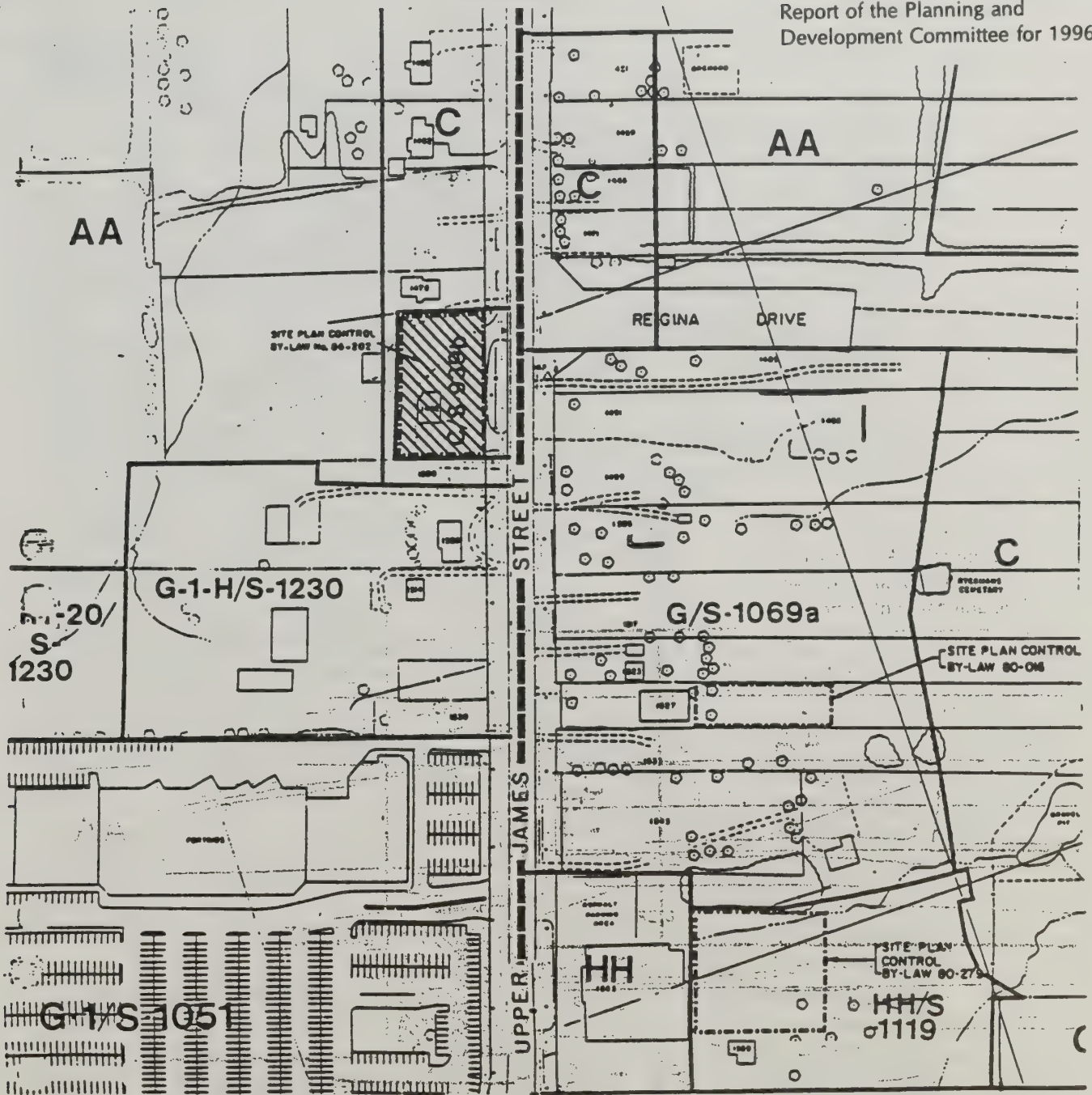
Respectfully submitted,

**ALDERMAN F. D'AMICO, VICE-CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

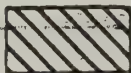
**Tina Agnello, Secretary
1996 January 24**

1996 January 30

Appendix "A" referred to in
Section 1 (a) of the FIRST
Report of the Planning and
Development Committee for 1996

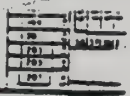


Legend



Site of the Application

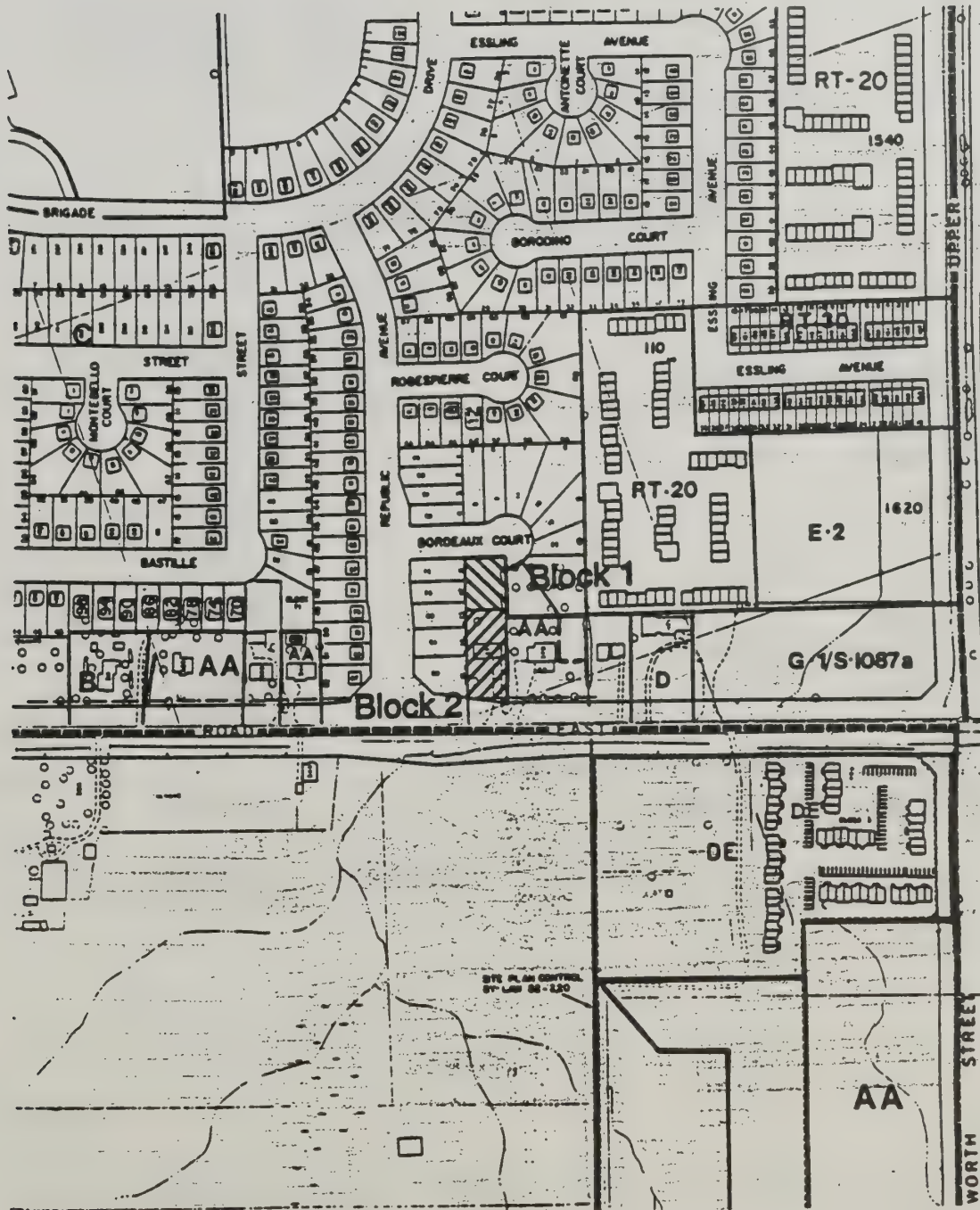
ZAR-95-28



Proposed change in zoning from:

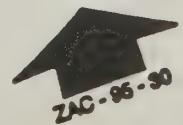
- 2A-92-34

1996 January 30



LEGEND

- Block 1**  Proposed change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified
- Block 2**  Proposed modification to the "AA" (Agricultural) District



Appendix "D" referred to in
Section 18-(a) of the FIRST
Report of the Planning and
Development Committee for 1996

WESTDALE VILLAGE B.I.A. APPROVED 1996 BUDGET

Office & Internal Expenses	\$2,500.
Advertising	\$3,000.
Sidewalk Sale	\$2,000.
Insurance	\$ 500.
Hydro	\$ 500.
Auditor	\$ 500.
Beautification	\$2,000.
Christmas Decorations	\$1,500.
Walk of Hope	\$1,000.
Fesitival	\$4,000.
Allowance for uncollected '95 levies and hiring of summer student	\$17,500.
APPROVED 1996 TOTAL	<u>\$35,000.</u>

With Sponsor

1996

1996

1996

1996

1996

1996

1996

1996

Concession Street Business Improvement Area

Proposed Budget for 1996

Expenses

Advertising and Promotion

	<u>1994</u>	<u>1995</u>	<u>1996</u>
Installation and Storing of Christmas Decorations	\$4,000.	\$4,000.	\$2,800.
Hydro - Christmas Lights	800.	800.	800.
Advertising and Promotion	<u>2,425.</u>	<u>2,425.</u>	<u>5,000.</u>
	7,225.	7,225.	8,600.

Administration

Association Dues	400.	400.	400.
Insurance	550.	550.	750.
Accounting	300.	300.	350.
Bank Charges	<u>100.</u>	<u>100.</u>	<u>Nil</u>
	1,350.	1,350.	1,500.

Office

Newsletter	500.	500.	500.
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Other

Miscellaneous	<u>500.</u>	<u>500.</u>	<u>500.</u>
	<u>\$9,575.</u>	<u>\$9,575.</u>	<u>\$11,100.</u>

Income

BIA Tax Levies	\$10,100.
City of Hamilton Grant - Christmas Decorations	<u>1,000.</u>
	<u>\$11,100.</u>

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1.
 - (a) That approval be given for the use of Optical Scan Poll Level Vote Tabulators for the 1997 City of Hamilton Municipal Elections; and,
 - (b) That the City Clerk and Returning Officer be authorized to enter into discussions and negotiations with the City of Winnipeg to lease their 156 Optical Scan Poll Level Tabulators supplied by Business Records Corporation at a cost of \$350. per Unit plus support and service fees; and,
 - (c) That the Mayor and the City Clerk be authorized and directed to execute a Lease Agreement with the City of Winnipeg in a form satisfactory to the City Solicitor; and,
 - (d) That the total leasing costs not to exceed \$100,000. be funded from the City Clerk's Department 1996 Capital Budget allocation for the acquisition of a Replacement Election System.
2. That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Ford World Curling Championships being held in Hamilton on 1996 March 23 - 31 as an event of municipal significance, and as such has no objection to the following list of licensed venues being allowed to operate for extended hours as herein referenced:
 - (a) Tuesday, 1996 March 26 - to advance the hours of serving from 11:00 a.m. to 7:00 a.m. in order to permit the serving of alcoholic beverages in conjunction with the GTM Breakfast and related events to take place at Copps Coliseum, Hamilton Victoria Curling Club and Glendale Golf and Country Club; and,

Recorded vote on 2 (a).

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson. -1.

CARRIED.

- (b) Saturday, 1996 March 30 - to advance the hours of serving from 11:00 a.m. to 9:00 a.m. to permit the serving of alcoholic beverages in conjunction with the United States Curling Association Breakfast/Brunch taking place at the Sheraton Hotel; and,
- (c) Friday, 1996 March 22 to Sunday, 1996 March 31 - to extend the hours of closing from 1:00 a.m. to 3:00 a.m. for the serving of alcoholic beverages in the licensed areas of the Sheraton Hamilton Hotel, The Royal Connaught Howard Johnson Plaza Hotel, the Ramada Hotel, and the Town and Country Hotel; and,
- (d) Saturday, 1996 March 23 to Saturday, 1996 March 30 - to extend the hours for closing from 1:00 a.m. to 3:00 a.m. for the serving of alcoholic beverages in the licensed areas of the Hamilton Victoria Curling Club; and,
- (e) Wednesday, 1996 March 27 - to extend the hours for closing from 1:00 a.m. to 3:00 a.m. for the serving of alcoholic beverages in the licensed areas of the Venetian Club, John Street North.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

- 3. (a) That the 1996 General Grant Applications be processed in a manner consistent with the 1995 General Grant Applications which includes consideration of written presentations only of the Grant Applicants by the Committee of the Whole; and,

- (b) That the Committee of the Whole consider the 1996 General Grant requests at a meeting subject to confirmation 1996 March 28; and,
 - (c) That all 1996 General Grant Applicants be advised of this process.
- 4.
- (a) That the Mayor and City Clerk be authorized to execute an agreement with LGS Group Inc. of North York, to perform the Operational review of the Information Systems Department, based on their proposal dated 1995 October; and,
 - (b) That a purchase order be issued to LGS Group Inc. with an upset limit of \$60,800.; and,
 - (c) That the agreement be in a form satisfactory to the City Solicitor; and,
 - (d) That these recommendations be forwarded via Regional Council to the Administrative Services Committee for information.
- 5.
- (a) That the Constituent Assembly be requested to forward the service and representation assumptions to be given to their newly hired consultants (KPMG), which will form the basis for the cost analysis; and,
 - (b) That staff report back on the progress of the Constituent Assembly's consultant study.
- 6.
- (a) That the membership of the Board of Directors for the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited consisting of 15 Directorships (nine elected officials and six citizens) be reduced to a total of ten with the 3:2 ratio of elected officials to citizens being maintained, thus, allowing for six elected officials (one being the Mayor) and four citizens; and,
 - (b) That the elected officials component of nine, one of which is currently vacant, be reduced to six only after the next municipal election unless one or more vacancies occur in the interim.

7. That approval be given to the Sesquicentennial Public Speaking Committee to use the Council Chamber on 1996 Sunday, September 15, 22 and 29, from approximately 1:00 p.m. to 10:00 p.m. for the semi-finals of the Public Speaking Competition.
8.
 - (a) That approval be given to the action taken by the City Clerk in authorizing Big Time Productions to use the Second Floor Council Annex from 12:00 to 1:00 p.m. on Tuesday, 1995 December 5, Tuesday, 1995 December 12 and Thursday, 1995 December 21 for the Christmas Music In The City Program; and,
 - (b) That the City Clerk be authorized to approve of a similar event in future years, provided it does not conflict with any other activity.
9.
 - (a) That approval be given to authorize the remittance of payment to the Association of Municipalities of Ontario in the amount of \$13,161.52 for the City of Hamilton's 1996 Membership fee; and,
 - (b) That this cost be financed from Account No. CH56011-10032 - Memberships.
10.
 - (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

20 Beland S
80 Norway

27 William
 - (b) That the Mayor and City Clerk be authorized to execute the authorizing by-law and Extension Agreements.
11.
 - (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1996 pending receipt of current revenues; and,
 - (b) That the appropriate borrowing by-law be approved.

12. That a by-law be enacted to:
 - (a) Repeal By-law 94-085 which appointed an Acting Treasurer; and,
 - (b) Appoint Mr. Terry Daw, Mr. Nik Adhya and Mr. Cecil Mascarenhas as Acting Treasurers in the absence of the Treasurer.
13. That the prelevy residential and non-residential mill rates for 1996 be established at figures slightly below 50% of the 1995 respective mill rates as follows:
 - (a)
 - (i) That a real property tax prelevy mill rate of 206 mills be established for 1996 to be billed in two instalments of 103.0 mills each, payable 1996 February 29 and March 29. This prelevy rate represents 49.914% of the 1995 residential mill rate; and,
 - (ii) That a business tax prelevy mill rate of 242 mills be established for 1996 to be billed in one instalment, payable 1996 February 29. This prelevy rate represents 49.841% of the 1995 non-residential mill rate.
 - (b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1995 charge, to be billed in two equal instalments, payable 1996 February 29 and March 29.
14. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$238,019.53 be approved and charged to CH53307-24104 Tax Remissions.
15. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 January 12, attached herewith and marked Appendix "A", be approved.
16.
 - (a) That the amendment to the Air Handlers' Provincial Collective Agreement, Local 537, be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
 - (b) That the Fair Wage Schedule be amended to reflect this change.

17. (a) That the City of Hamilton confirm it has no interest in a parcel of land measuring approximately 15 feet by 50 feet (described as Part 2, 62R-13582) situated at the rear of 400 Wentworth Street North by quit claiming this portion to the current owners of 400 Wentworth Street North, namely, Waterjet Machinery Inc.; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
18. (a) That the City resolve Ontario Court (General Division) Action No. 6429/94 by the payment to the Plaintiffs, April, John, and John Michael Couture of the sum of \$6,586.80 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to obtain Court approval of the infant settlement in a form and manner satisfactory to the City Solicitor.
19. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 27165/91 on the following terms:

(a) That the City pay to the Plaintiff, Nestor Medina, the sum of \$10,000., inclusive of all damages, interest, and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 27165/91 be dismissed, as against the Corporation of the City of Hamilton, without costs.
20. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 22460/90 on the following terms:

(a) That the City pay to the Plaintiffs, Carol and Charles Repasi, the sum of \$127,167.39 inclusive of all damages, interest, and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Action No. 22460/90 be dismissed, as against the Corporation of the City of Hamilton, without costs.
21. That the City concur in the settlement proposal of the Assessment Appeal by the Hamilton Harbour Terminals Inc. as follows:
- (a) The Realty Tax Reductions will be made on the basis that for the period 1994 May to 1995 May HHT Inc. was not a tenant of the inside shed space and offices; and,
 - (b) HHT Inc. will be responsible for business assessment under Section 7 of the Act; and,
 - (c) All Outstanding Realty Appeals at the Assessment Review Board/Ontario Municipal Board will be withdrawn immediately; and,
 - (d) All Section 442 Applications will be processed to be consistent with the above; and,
 - (e) There will be no interest on the refund or costs of the application.
22. (a) That the City decline to accept the Defendant's Offer to Settle in this matter whereby the Defendant, Jockey Club Tavern Ltd., would pay to the City \$20,000., inclusive of all claims for damages, interest and costs, the City would reduce the Defendant's BIA assessments by 75% in future and the Defendant would acknowledge membership in the Ottawa Street BIA; and,
- (b) That the City Offer to Settle all outstanding issues in Ontario Court of Appeal file No. C16095 in the following terms:
- (i) That the Defendant shall pay to the City one-third of all outstanding BIA levies together with one-third of all outstanding interest and penalties on such BIA levies, calculated as of the date of the acceptance of this Offer; and,
 - (ii) That the Defendant shall pay to the City its Party/Party costs of the original Action in the amount of \$12,078.25; and,
 - (iii) That the City will accept the sums of money set out in paragraphs (i) and (ii), in equal monthly instalments over a period of thirty-six

months, without further interest, and that upon final completion of payments the City will issue a Satisfaction Piece to the Defendant with respect to the monetary and cost provisions of the Judgment in Ontario Court (General Division) Action No. 2353/86; and,

- (iv) That forthwith after the acceptance of this Offer, the Defendant's Appeal to the Court of Appeal in file No. C16095 be dismissed without costs; and,
- (v) That the City use its best efforts to amend the Ottawa Street BIA By-law (By-law 86-31) pursuant to the provisions of the Municipal Act, to reduce the BIA levy with respect to the Jockey Club Tavern Ltd, and/or its successor corporation, Oakwood Place Inc., by two-thirds. Subject to the prior receipt by the City of a written undertaking from the Defendant, or its successor corporation, in a form satisfactory to the City Solicitor, that it will not take any steps to appeal such amendment to the OMB or otherwise to attempt to use the occasion of the consideration of an amending by-law to have itself removed from the Ottawa Street BIA, or to seek a levy of a lesser amount than referred to in this Offer; and,
- (vi) That in the event that the Defendant elects to make the 36 equal monthly payments as referred to in paragraph (iii), and any monthly payment is not made, in full and on schedule, the whole remaining amount due pursuant to paragraphs (i) and (ii) shall become payable forthwith. In that event, should the Defendant fail to make full payment of the remaining balance due within thirty days, the City shall be entitled to rely upon and enforce the full amount of the Judgment in Action 2353/86, subject only to deduction of amounts already received from the Defendant; and,
- (vii) That this Offer remain open for acceptance until withdrawn or until 4:59 p.m. on the last business day prior to the day upon which the hearing of this Appeal before the Ontario Court of Appeal proceeds, whichever first occurs.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-1 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

- (b) D-2 A By-law to Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.
- (c) D-3 A By-law respecting An Acting Treasurer.
- (d) D-4 A By-law to Amend By-law 93-069 respecting: Zoning Verification Certificates.
- (e) D-5 A By-law to Amend By-law 80-259 respecting: Inspections by the Medical Officer of Health.
- (f) D-6 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

24. That the Mayor, on behalf of City Council, write to the City of Stoney Creek indicating concern over the proposed use of property at 917 - 941 Queenston Road in the City of Stoney Creek, which will potentially allow for the operation of an Adult Entertainment Parlour on property which abuts a residential area in the City of Hamilton.

ADDED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 January 23**

Appendix "A" referred
to in Section 15 of the
FIRST Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Cheryl Bogie	I	Client Services Secretary (8B)	H.E.C.F.I.	Replacing Ms. S. Johnson - resigned, Sept. 26/95	\$28,966.08 to \$29,260.92	Dec. 06/95
Ms. Diane Collins	I	Curator (M)	Culture & Recreation	Replacing Ms. M. Denton - resigned, Nov. 01/95	\$40,640.60 to \$47,819.20	Nov. 02/95
Ms. Christine Lowartz	I	Curatorial Assistant (O)	Culture & Recreation	Replacing Ms. D. Collins - promoted, Nov. 02/95	\$34,001.76 to \$39,962.52	Nov. 02/95
Mr. Cecil Mascarenhas	I	Manager of Accounting (E)	Treasury	Replacing Mr. I. Hammel - retired, April 29/94	\$72,475.00 to \$85,343.44	Jan. 01/96

Prepared January 12, 1996

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Douglas Pickard	Customer Service Rep/ Plan Examiner	Building	Terminated	6 years, 8 months	Dec. 13/95

Prepared January 12, 1996

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Kay Morden	I	Administrative Assistant II (O)	City Clerk's	Replacing Ms. L. Tofani - promoted, July 03/95	\$34,001.76 to \$39,962.52	Dec. 11/95
Ms. Patricia Orr	I	Communications Operator (NIB)	Fire	Replacing Mr. J. McIsaac retired, April 30/95	\$34,234.08	Nov. 27/95

Prepared January 10, 1996

Status
Internal - I
External - E

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report for 1996 and respectfully recommends:

1. That the following nominees of the Hamilton Civic Hospitals Foundation be appointed to the Hamilton Civic Hospitals Board of Directors:

<u>Nominee</u>	<u>Term of Office to Expire</u>
Norman Preece	1999 December 31
Brian Mathewson	1999 December 31
Miriam Dewildt Neale	1996 December 31
Mia Wilkinson	1996 December 31

2. That the following citizens be appointed to serve on the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited for a term to expire 1997 November 30:

Susan Andrews
Robert Kronas
Nancie Mleczko
Berta Walton

3. That the following Members of Council be appointed to the Selection Committee for a term to expire 1996 December 31:

Mayor R. M. Morrow
Alderman C. Collins
Alderman B. Charters
Alderman T. Jackson
Alderman H. Merling

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
NOMINATING COMMITTEE

J. J. Schatz, Secretary
1996 January 30

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report for 1996 and respectfully recommends:

1. a) That the City of Hamilton 1996 Capital Budget and the 1997-2005 Capital Forecast as outlined on Schedule "A" and "B" attached, representing the following financial parameters, be approved:
 - (i) the average debenture charges expressed as a percentage of levy be 10.91% for the ten (10) year period; and
 - (ii) the average compound rate of increase per year in debenture charges be 0.72%.
- b) That the provision for capital levy with specific reference to the "Pay-As-You-Go" policy, be reduced from last year's plan to a two mill capital levy in 1996, a two mill capital levy in 1997, a three mill capital levy in 1998, a four mill capital levy in 1999, a five mill capital levy in 2000 and a six mill capital levy in 2001 through 2005.
- c) That all capital projects with significant operating cost impacts on the Current Budget be delayed for the first two years and that consideration be given for 1998 and beyond.
- d) That Management Team review the overall funding scenario during 1996 for future capital projects 1997 through 2006 indicating whether the capital financing be held at "zero" increase in debt charges and capital levy at "2 mills" or higher and report to the Committee of the Whole before initiating the 1997-2006 Provisional Capital Budget Program
- e) (i) That the 1996 projects be approved for implementation as outlined on the following pages: (Schedule "A" - Page 1 and 2 - Municipal Projects and Page 11 - the Parking Authority Projects) indicating the method of financing, and that the originating Department Head be directed to proceed with these projects; and

- (ii) That the City Solicitor be authorized to prepare the appropriate by-laws for Project No. 79.0 Roadway and Sidewalk Reconstruction Program for a gross cost of \$5,982,000. (Schedule "A" - Page 1) with debenture financing in the amount of \$4,524,000. and the balance in the amount of \$1,458,000. from the Reserve for Capital Projects (as indicated on Schedule "A", Column 18); and
- (iii) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed twenty years as required for the above Project noted in (ii) requiring debenture financing for the year 1996.
- f) That item 1(b) of the THIRD Report of the Committee of the Whole as adopted by City Council at its meeting held 1994 March 10 be deleted and replaced by the list noted in (g).
- g) That the following projects be advanced and included as part of the new application to the Canada/Ontario Infrastructure Program replacing the previously approved Co-Generation Project being removed by the Committee of the Whole on 1996 January 9, and that the Treasurer be authorized to reduce the 1997 through 2002 Capital Forecasts by the amount noted below;

**CANADA/ONTARIO INFRASTRUCTURE WORKS
PROPOSED PROJECTS**

<u>Project No.</u>	<u>Description</u>	<u>Advanced From</u>	<u>Gross Cost</u>	<u>Annual Operating Cost</u>
1)	79.1 Roadway and Sidewalk Reconstruction Program	Additional	1,463,000	0
2)	81.1 (Part) "	1997	999,000	0
3)	81.2 (Part) "	1998	685,000	0
4)	81.3 (Part) "	1999	589,000	0
5)	81.4 (Part) "	2000	<u>388,500</u>	0
			<u>\$4,124,500</u>	

- h) That an amount of \$400,000. be allocated to Creative Playstructures out of savings available from the removal of the Co-Generation Project and that the City Solicitor be authorized to prepare the appropriate by-law amendment.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1996 January 30

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A" as referred to
in Section 1 of the FIRST Report
of the Committee of the Whole for 1996.

PROJECTS BY RANK ORDER & YEAR
(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City Cash)										MATURE OF	ANNUAL DEBT CHARGES	ANNUAL CUMUL. TOTAL	NOTES 1993-2004	ACTION TAKEN BY M.T.	Line No.		
		START	FINISH	COST	RUBBIDY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005							RANNO	CHANGES
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)

PROJECTS IN RANK ORDER EXCLUSIVE OF PARKING AUTHORITY:																							
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1996 PROJECTS

1030	C&R	CONVERSION OF CHLORINATION SYSTEM, OUTDOOR/INDOOR POOLS	1996	1997	180		90	90															2
90	PROP	ENERGY MANAGEMENT PROJECTS	1996	1996	111		111																3
70	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1996	1996	841		841																4
130	PROP	MARKETPLACE RE-ROOFING PHASE II	1996	1996	578		578																5
1410	PWD-P	INTROGATED PLAYSTRUCTURE FOR GAGE PARK	1996	1996	100	25	75																6
1390	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1996	1996	222	22	200																7
1041	C&R	IVON WYNN STADIUM - RENOVATIONS AND REPAIRS	1996	1996	90		90																8
640	PWD-P	VEHICLE REPLACEMENT PROGRAM	1996	1996	2,945		2,945																9
640	ROAD	REHABILITATION OF BAY STREET OVERHEAD BRIDGE	1996	1996	40		40																10
41	CLERK	ELECTION SYSTEM - ACQUISITION AND REPLACEMENT	1996	1996	100		100																11
740	PWD-T	WESTDALE BRANCH LIBRARY - DESIGN PHASE	1996	1996	74		74																12
1641	HPL	WESTDALE BRANCH LIBRARY - DESIGN PHASE	1996	1996	61		61																13
80	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1996	1996	200		200																14
100	PROP	CUP - BUILDING AUTOMATION SYSTEM UPGRADE	1996	1996	120		120																15
110	PROP	CENTRAL MONITORIAL - MECHANICAL/ELECTRICAL UPGRADE	1996	1996	145		145																16
141	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1996	1996	138		138																17
170	PROP	DUNDURN CASTLE - HOT WATER BOILER SYSTEM RENOVATIONS	1996	1996	126		126																18
1020	C&R	PARKDALE/ENCH PARK OUTDOOR POOL/EMERGENCY UPGRADE	1996	1996	160		160																19
180	PROP	HAMILTON PUBLIC LIBRARY - FIRE PANEL/TUBIC ADDRESS SYSTEM REPLAC	1996	1996	169		169																20
760	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	1996	1996	222		222																21
130	PROP	CORP COLISEUM - REFRIGERATION & A/C EQUIPMENT	1996	1996	228		228																22
350	PROP	VEHICLE / APPARATUS REPLACEMENT	1996	1996	1,200		1,200																23
790	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1996	1996	5,982		5,982																24
1070	C&R	INFRASTRUCTURE STUDY PHASE II	1996	1996	150		150																25
640	ROAD	CITY'S SHARE OF SERVICES THROUGH UNBUDIDED LANDS	1996	1996	1,000		1,000																26
1740	HECFT	HCC - REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1996	1996	120		120																27
1750	HECFT	HCC - REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1996	1996	130		130																28
1760	HECFT	CC - REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1996	1996	130		130																29
10	RD	MUNICIPAL NON-PROFIT HOUSING COOP - LAND BANKING	1996	1996	1,000		1,000																30
1790	HECFT	FACILITY MANAGEMENT SYSTEM	1996	1996	70		70																31
711	ROAD	STORM WATER NATURAL RETENTION SYSTEM - EYMAL ROAD EAST	1996	1996	50		50																32

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR
(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	GROSS EXPENDITURES				NET FINANCING (CITY CORR)										NATURE OF DEBT	ANNUAL AMOUNT	ANNUAL DEBT OBLIGATION	NOTES	NET CUMUL TOTAL	ACTION TAKEN BY M.T.	Lias No.
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)							
1440	PWD-P	PARKLAND ACQUISITION	1996	1996	700	700	700										RPL	23	Outside 10 yr.	16,405	Transfer from 2005		34
1990	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	1996	1996	50	50	50										RCP				16,460		35
721	PWD-T	TRAFFIC SIGN REPLACEMENT	1996	1996	75	75	75										RPL		NEW		17,080		36
1030	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1996	1996	600	600	600										RPL		48		17,140		37
1440	HECFI	CORPS COLLIERUM - REPLACEMENT OF FLOODING	1996	1996	60	60	60										RTP-CC				17,190		38
1500	PWD-P	WEST HARBOR FRONT DEVELOPMENT STUDIES - PHASE I	1996	1996	50	50	50										RCP		0	Outside 10 yr.	17,290		39
1440	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1996	1996	122	22	100										RPL		10		17,290		40
Sub-total 1996 PROJECTS					14,339	1,069	17,200	90	0	0	0	0	0	0	0	0					713	(4)	41
(NET CITY COSTS - 17,200)																							

1997 PROJECTS

1401	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1997	1997	111	11	100										RPL		1		17,390		42
741	PWD-T	TRAFFIC SIGNAL MODERNIZATION	1997	1997	75	75	75										RCP				17,465		43
441	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY PARKING LOTS	1997	1997	50	50	50										CL				17,515		44
1442	RPL	WESTDALE BRANCH LIBRARY	1997	1997	491	491	491										CL		NEW		18,006		45
811	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1997	1997	7,670	7,670	7,670										DEB/CL/RCP		960		25,676		46
230	PROP	HILL PARK POOL - MECHANICAL/ELECTRICAL REPAIRS	1997	1997	289	289	289										CL				26,384	Reduced from 600,000	50
270	PROP	MACHAB RECREATION CENTRE - REPLACEMENT OF ROOF	1997	1997	169	169	169										CL				26,134		49
771	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	1997	1997	250	250	250										CL				26,384	Reduced from 600,000	50
651	PWD-P	VEHICLE REPLACEMENT PROGRAM	1997	1997	4,690	4,690	4,690										RAME		Nearly undreded		31,074		51
800	PWD-S	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM - PHASE II	1997	1997	700	700	700										RCP/CL				31,774		52
1871	RPL	BARTON BRANCH LIBRARY - DESIGN PHASE	1997	1997	37	37	37										RES-L		NEW		31,811		53
142	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-135	1997	1997	171	171	171										CL				31,982		54
221	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1997	1997	500	500	500										RCP				32,482		55
671	ROAD	CITY'S SHARE OF SERVICES THROUGH UNDIVIDED LANDS	1997	1997	1,021	1,021	1,021										ESTUL/BOC				33,503		56
1780	HECFI	HAMILTON CONVENTION CENTRE - ROOFING SYSTEM REPLACEMENT	1997	1997	355	355	355										RCP-H				33,858		57
21	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1997	1997	1,000	1,000											RPE				33,858		58
1771	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1997	1997	160	160	160										RCP-H		NEW		34,017		59
571	FIRE	VEHICLE/APPLIANCE REPLACEMENT	1997	1997	169	169	169										RAME				34,187		60
691	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1997	1997	95	10	85										RCP				34,272		61
260	PROP	CITY HALL - REPLACEMENT OF BOILERS	1997	1997	145	145	145										RCP				34,417		62
1391	PWD-P	BOCCE, BASKETBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	1997	1997	50	50	50										RCP		Outside 10 yr.		34,467	Transfer from 2005	63
722	PWD-T	TRAFFIC SIGN REPLACEMENT	1997	1997	75	75	75										RCP		NEW		34,542		64
1491	PWD-P	PARKLAND ACQUISITION	1997	1997	1,000	1,000	1,000										RPL/BOC		33		35,542		65
1441	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1997	1997	600	600	600										RPL		38		36,142		66

The Corporation of the City of Hamilton 1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR (Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (CITY'S Cost)										OF DEBT CHARACTER	DEBT OBLIGATING COST	COMPARISON 1995-2004	CUMUL TOTAL	TAKEN BY M.T.	Line No.	
			START	FINISH	COST	SUMMARY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005							(18)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
181.1	HECPT	HAMILTON PLACE - REPAIRISH SEATING IN THE GREAT HALL	1997	1997	300			300									RTH-HP				36,642		57
1820	HECPT	HAM CONVENTION CENTRE-REPAIRISH BARS AND EQUIPMENT	1997	1997	100			100									BCP-R				36,542		68
1971	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1997	1997	122	22		100									RDC				36,642		69
Sub-Total 1997 PROJECTS			(NET CITY COSTS - 19,352)			20,595	1,043	0	19,352	0	0	0	0	0	0	0		960	81				70
																						71	

1998 PROJECTS

1402	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1998	1998	150																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								</
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The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM
Schedule "A"

PROJECTS BY RANK ORDER & YEAR
(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	GROSS RECURRING COSTS			NET FINANCING (CITY CORP)										NATURE OF DEBT OR FINANCING CHARGE	ANNUAL COST	ANNUAL COMPARISON 1995-2004	NOTES	NET CUMUL TOTAL	ACTION TAKEN BY M.T.	Lino No.
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)			
181.2	HECPI	HAMILTON PLACE - REFURISH SEATING IN THE GREAT HALL.	1996	1996	240				240								RTP-HIP			57,571		(24)
71.2	FWD-1	TRAFFIC SIGN REPLACEMENT	1996	1996	75				75								RCP	NEW		57,646		101
119.1	C&R	DALEWOOD RECREATION CENTRE - RETROFIT - FEASIBILITY STUDY	1996	1996	20				20								CL			57,666		102
144.2	FWD-2	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1996	1996	600				600								RPL		36	58,266		104
160	PROP	CITY HALL - REPLACE EXISTING CHILBERS & ASSOCIATED EQUIPMENT	1996	1996	340				340								RCP/CL			58,606	Transfer from 1996	105
210	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1996	1996	30				30								RCP			58,636	Transfer from 1996	106
162.2	FWD-1	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1996	1996	61	11			50								RDC		5	58,706		107
Sub-total 1996 PROJECTS			23,085	1,021	0	0	22,064	0	0	0	0	0	0	0	0	0			961	36		108
(NET CITY COSTS - 22,064)																						109

1999 PROJECTS

140.2	FWD-2	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1999	1999	150				150								RPL		1	58,856		110
74.2	FWD-1	TRAFFIC SIGNAL MODERNIZATION	1999	1999	79				79								CL			58,935		111
24.2	PROP	ENERGY MANAGEMENT PROJECTS	1999	1999	200				200								CL		(40)	59,135		112
104.2	C&R	IVY WYNN STADIUM - RENOVATIONS AND REPAIRS	1999	1999	90				90								CL			59,225		113
84.2	FWD-3	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	1999	1999	30				30								CL			59,275		114
81.2	FWD-4	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1999	1999	8,135				8,135								DBR/CL/RCP	941		67,410		115
142.2	FWD-2	HAMILTON PLAYSTRUCTURE ADDITIONAL REDEVELOPMENT	1999	1999	100				100								RPL		2	67,510		116
22.2	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1999	1999	600				600								CL			68,110		117
65.2	FWD-2	VEHICLE REPLACEMENT PROGRAM	1999	1999	5,339				5,339								R&R&E		Newly introduced	73,469		118
71.2	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1999	1999	1,336				1,336								ESTU/MDC			74,825		119
71.2	FWD-8	CITY'S SHARE OF LOCALS - RESIDENTIAL	1999	1999	250				250								CL			75,075	Reduced from 750,000	120
2.2	MD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1999	1999	1,000				1,000								RFP			75,075		121
177.2	HECPI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1999	1999	300				300								RCP-H			75,375		122
23.2	PROP	CUP- VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1999	1999	90				90								CL			75,465		123
37.0	PROP	LIBRARY/MARKET - BOLLER RETROFIT	1999	1999	217				217								CL		(20) Adv. from 2001	75,682		124
136.1	FWD-2	PEDESTRIAN/BICYCLE LINKAGE COORDES PARADES TO BAYFRONT PARK - DESIGN	1999	1999	100				100								CL			75,782	Transfer from 2000-02	125
136.2	FWD-2	PEDESTRIAN/BICYCLE LINKAGE COORDES PARADES TO BAYFRONT PARK - PHASE I	1999	1999	1,700	1,200			500								CL		45	76,282	Transfer from 2000-02	126
161.1	FWD-2	TUNNER PARK DEVELOPMENT PHASE II	1999	1999	90				90								CL		Outside 10 yr.	76,372	Transfer from 2005	127
161.2	FWD-2	TUNNER PARK DEVELOPMENT PHASE II	1999	1999	70				70								CL		Outside 10 yr.	76,442	Transfer from 2005	128
161.2	FWD-2	TUNNER PARK DEVELOPMENT PHASE II	1999	1999	70				70								CL		Outside 10 yr.	76,512	Transfer from 2005	129
330	PROP	BENNETT RECREATION CENTRE - REPLACEMENT OF ROOF	1999	1999	116				116								CL		Adv. from 2002	76,628		130
340	PROP	DALEWOOD RECREATION CENTRE - REPLACEMENT OF ROOF	1999	1999	97				97								CL		Adv. from 2002	76,725		131
350	PROP	CHURCHILL RECREATION CENTRE - MECHANICAL/ELECTRICAL UPGRADE	1999	1999	203				203								CL		Adv. from 2002	76,928		132
37.2	FIRE	VEHICLE/ APPARATUS REPLACEMENT	1999	1999	160				160								R&R&E		NEW	77,088		133
																						134

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJECT NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (CITY CASH)										NATURE OF DEBT	ANNUAL CHARGES	ANNUAL PAYMENTS	NOTES	NET CUMUL. TOTAL	ACTION TAKEN BY M.T.	LISE No.
			START	FINISH	COST	SUMMARY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
69.3	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1999	1999	97	10				87							CL			Outside 10 yr.	77,225 Transfer from 2005		136
139.3	PWD-P	BOCCO, BASEBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	1999	1999	50					50							CL/RCF			Adv. from 2002	77,476		137
34.0	PROP	DALEWOOD RECREATION CENTRE - MECHANICAL/ELECTRICAL UPGRADE	1999	1999	251					251							RCP			NEW	77,551		138
72.4	PWD-T	TRAFFIC SIGN REPLACEMENT	1999	1999	75					75							RDC				78,151		139
144.3	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	600					600							RPL/RDC				79,151		140
149.3	PWD-P	PARKLAND ACQUISITION	1999	1999	1,000					1,000							RDC				79,201		141
147.3	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1999	1999	61	11				50													142
Sub-total 1999 PROJECTS					22,716	2,321	0	0	0	20,495	0	0	0	0	0	0					641	63	143
(NET CITY COSTS - 20,495)																							144

2000 PROJECTS

140.4	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	2000	2000	150					150							RPL			1 NEW	79,351		145
74.4	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2000	2000	83					83							CL				79,434		146
74.4	PROP	ENERGY MANAGEMENT PROJECTS	2000	2000	200					200							CL				79,634		147
104.4	C&E	IVOR WYNN STADIUM - RENOVATIONS AND REPAIRS	2000	2000	90					90							CL				79,724		148
84.4	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY PARKING LOTS	2000	2000	50					50							CL				79,774		149
81.4	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2000	2000	8,340					8,340							DEB/CL/RCP	1,186			88,154		150
32.4	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2000	2000	700					700							RCP				88,854		151
67.4	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2000	2000	1,377					1,377							RSTU/RDC				90,231		152
138.0	C&E	IVOR WYNN STADIUM - ELECTRICAL SERVICE & CONCESSION EQUIPMENT	2000	2000	64					64							CL			Outside 10 Yr.	90,295		153
65.4	PWD-P	VEHICLE REPLACEMENT PROGRAM	2000	2000	5,745					5,745							RMB			Newly introduced	96,040		154
77.4	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2000	2000	250					250							CL				96,290	Redund from 150,000	155
2.4	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2000	2000	1,000	1,000											RFP				96,290		156
177.4	HBCF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2000	2000	250					250							RCP-H				96,540		157
33.4	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2000	2000	100					100							CL				96,640		158
42.0	PROP	LAURIER DISTRICT CENTRE - REPLACEMENT OF ROOF	2000	2000	116					116							CL				96,756		159
69.4	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2000	2000	98	10				88							CL			Adv. from 2001	97,143		160
41.0	PROP	LAURIER DISTRICT CENTRE - MECHANICAL/ELECTRICAL REPAIRING	2000	2000	289					289							CL			NEW	97,268		161
44.0	PROP	COPPS COLISEUM - STEAM TO HOT WATER CONVERSION - PHASE II	2000	2000	125					125							CL				97,628		162
57.4	PWD-P	VEHICLE/AUTOMATION REPLACEMENT	2000	2000	360					360							RMB			NEW	97,628		163
139.4	PWD-P	BOCCO, BASEBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	2000	2000	50					50							CL			Outside 10 Yr.	97,678 Transfer from 2005		164
34.0	PROP	CUP - BUILDING AUTOMATION SYSTEM UPGRADE - PHASE II	2000	2000	1,300					1,300							CL			NEW	98,978		165
46.0	PROP	MOUNTAIN ARENA - MECHANICAL/ELECTRICAL UPGRADE	2000	2000	347					347							CL			Adv. from 2002	99,325		166
47.0	PROP	WESTMOUNT RECREATION CENTRE - REPLACEMENT OF ROOF	2000	2000	116					116							CL				99,441		167
139.1	C&E	IRRIGATION SYSTEMS - VARIOUS LOCATIONS	2000	2000	250					250							CL			Outside 10 Yr.	99,691		168

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	GROSS RECEIPTS				NET FINANCING (City's Debt)										NATURE OF DEBT OR CHARGES	ANNUAL AMOUNT	ANNUAL COMPARISON 1995-2004	NOTES	NET CUMUL TOTAL	ACTION TAKEN BY M.T.	Line No.
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
160.1	HECH	COPPS COLISEUM - MODIFY & REPAIR EXTERIOR ELECTRONIC SIGN	2000	2000	200						200						RTS-CC				99,891		169
40.0	PROJ	CITY HALL - REPLACEMENT OF ROOF - PHASE II	2000	2000	386						386						RCF			Adv. from 2002	100,777		171
44.0	PROJ	LAWFIELD ARENA - MECHANICAL/ELECTRICAL UPGRADE	2000	2000	537						537						CL				101,334	Transfer from 1997	172
199.0	HFL	CENTRAL LIBRARY RENOVATIONS - CONSTRUCTION PHASE	2000	2000	75						75						RCF				101,409		173
72.5	PWD-T	TRAFFIC SIGN REPLACEMENT	2000	2000	600						600						RDC				102,009		174
144.4	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2000	2000	1,000						1,000						RT/L/RDC				103,009		175
149.4	PWD-P	PARKLAND ACQUISITION	2000	2000	61						50						RDC				103,059		176
147.4	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2000	2000	11						11										1,166	(29)	177
Sub-total 2000 PROJECTS					24,879		1,021	0	0	0	0	33,894	0	0	0	0							178
(NET CITY COSTS - 23,656)																							179

2001 PROJECTS

140.5	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	2001	2001	150						150						RT/L				103,209		180
74.5	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2001	2001	85						85						CL				103,294		181
34.5	PROJ	ENERGY MANAGEMENT PROJECTS	2001	2001	250						250						CL				103,544	(30)	182
44.5	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2001	2001	50						50						CL				103,594		183
82.1	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2001	2001	6,650						6,650						DER				112,224		184
22.5	PROJ	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2001	2001	700						700						CL				112,924		185
76.1	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2001	2001	250						250						CL				113,174	Redwood from 775,000	186
2.5	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2001	2001	1,000						1,000						RFP				113,174		187
65.5	PWD-P	VEHICLE REPLACEMENT PROGRAM	2001	2001	6,170						6,170						RRMB				119,344		188
67.5	ROAD	CITY'S SHARE OF SERVICES THROUGH UNDIVIDED LANDS	2001	2001	1,399						1,399						RT/L/RDC				120,743		189
177.5	HECF	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2001	2001	230						230						RCF-H				120,973		190
23.5	PROJ	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2001	2001	100						100						CL				121,073		191
51.0	PROJ	HILL PARK RECREATION CENTRE - REMODELING	2001	2001	97						97						CL				121,170		192
51.5	FIRE	VEHICLE/APPLIANCE REPLACEMENT	2001	2001	454						454						RRMB				121,624		193
159.5	PWD-P	BOCCAS, BASEBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	2001	2001	50						50						CL				121,673	Transfer from 2005	194
69.5	ROAD	RAILWAY CROSSING - HILL RAIL INSTALLATION	2001	2001	99						99						CL				121,773		195
129.2	C&R	IRRIGATION SYSTEMS - VARIOUS LOCATIONS	2001	2001	235						235						CL				121,998		196
3.0	HD	UPGRADE OF ADA PATHWAY AND MACASA PARK APARTMENTS	2001	2001	145						145						CL				123,337	Transfer from 1998-99	197
43.0	PROJ	WESTMOUNT RECREATION CENTRE - MECHANICAL/ELECTRICAL UPGRADE	2001	2001	116						116						CL				123,482	Transfer from 2000	198
50.0	PROJ	RYERSON RECREATION CENTRE - REPLACEMENT OF ROOF	2001	2001	600						600						RDC				123,598		199
144.5	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2001	2001	1,160						1,160						CL				124,198		200
157.0	PWD-T	PARKING LOT AND PATHWAY REPAIRS - VARIOUS LOCATIONS	2001	2001	193						193						CL				125,358		201
52.0	PROJ	KENT WORTH COMPOSITE BUILDING - MECHANICAL/ELECTRICAL RETROFIT	2001	2001	193						193						CL				125,551		202

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR
(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

For Consideration of the Committee on the Water (20-2001-02)																								
PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT			NET FINANCING (CITY COST)										NATURE OF DEBT OR CHARGE	ANNUAL COST	NOTES	NET CUMUL TOTAL	ACTION TAKEN BY M.T.	LISE No.			
			START	FINISH	COST	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005							(18)	(19)	(20)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	
714	PWD-T	TRAFFIC SIGN REPLACEMENT	2001	2001	75							75												NEW
												2,000												
1310	CAR	REPLACE ATYPICAL TUBE AT IVOR WYNNE STADIUM	2001	2001	2,000							50												
1415	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2001	2001	61	11						600												
1563	PWD-P	PEDESTALIAN/BICYCLE LINKAGE COOTES PARADES TO BAYFRONT PARK-PHASE III	2001	2001	1,800	1,200						1,000												
1693	PWD-P	PARKLAND ACQUISITION	2001	2001	1,000																			
Sub-Total 2001 PROJECTS					26,438	2,221	0	0	0	0	0	26,217	0	0	0	0	0	0	0	0				
(NET CITY COSTS - 26,217)																								

2002 PROJECTS

1404	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	2002	2002	150												RPL		1 NEW	129,426			211
214	PROF	ENERGY MANAGEMENT PROJECTS	2002	2002	250												CL		(30)	129,676			212
744	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2002	2002	66												CL			129,742			213
444	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2002	2002	50												CL			129,812			214
444	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2002	2002	6,190												DEB	1,401		136,702			215
224	PROF	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2002	2002	600												CL			139,502			216
612	PROF	CITY'S SHARE OF SERVICES THROUGH UNDIVIDED LANDS	2002	2002	1,421												RPL/RDC			140,923			217
782	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2002	2002	250												CL			141,173	Reduced from 800,000		218
24	HD	MUNICIPAL NON-PROFIT HOUSING CORE - LAND BANKING	2002	2002	1,000	1,000											RPL			141,173			219
654	PWD-P	VEHICLE REPLACEMENT PROGRAM	2002	2002	6,657												RMR		Newly introduced	147,810			220
1774	HBCPI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2002	2002	200												RCP-H			148,010			221
234	PROF	CUP-VARIOUS CAPITAL REPLACEMENTS/DIVISIONS & NEW EQUIPMENT	2002	2002	110												CL			148,120			222
1994	PWD-P	BOCCS, BASKETBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	2002	2002	50												CL		Outside 10 Y.	148,170	Transfer from 2005		223
374	PWD-P	BOCCS, BASKETBALL, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	2002	2002	1,250												RMR		NEW	149,420			224
1293	C&E	IRRIGATION SYSTEMS - VARIOUS LOCATIONS	2002	2002	500												CL		Outside 10 Y.	149,920			225
694	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2002	2002	100	10											CL			150,010			226
1414	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2002	2002	61	11											RDC	5		150,060			227
1564	PWD-P	PEDESTALIAN/BICYCLE LINKAGE COOTES PARADES TO BAYFRONT PARK-PHASE III	2002	2002	1,600	1,200											RCP	45		150,660	Transfer from 2000-02		228
40	CLERK	ELECTION SYSTEM	2002	2002	550												CL			151,210	Transfer from 1996		229
281	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50												RCP			151,260	Transfer from 1996		230
282	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50												RCP			151,310	Transfer from 1996		231
283	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50												RCP			151,360	Transfer from 1999		232
284	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50												RCP			151,410	Transfer from 2000		233
285	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50												RCP			151,460	Transfer from 2001		234
286	PROF	ACCOMMODATION REQUIREMENTS - CITY HALL	2002	2002	50												RCP			151,510			235
450	PROF	FOOTBALL HALL OF FAME - MECHANICAL/ELECTRICAL REFIT	2002	2002	231												CL		Adv. from 2003	151,761	Transfer from 2000		236

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR

(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT START	GRAND FINISH	GROSS COST	SUBSIDY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	NATURE OF FINANCING	ANNUAL DEBT CHARGE	ANNUAL OPERATING COST	NOTES	NET CUMUL. TOTAL	ACTION TAKEN BY M.T.	Line No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
56.0	FIRE	FIRE STATION - WOODWARD & MELVIN - DESIGN & CONSTRUCTION	2002	2002	2,379								2,379				CL				154,140	Transfer from 1996	237
63.0	PWD-P	REPLACEMENT OF COMPUTERIZED FUEL CONTROL SYSTEM	2002	2002	174								174				CL			Adv. from 2000	154,314	Transfer from 1996	238
144.6	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2002	2002	400								400				EDC		36		154,914		239
19.0	PROP	BALFOUR ESTATE - BUILDING ENVELOPE RESTORATION	2002	2002	193								193				CL				155,107	Transfer from 1996	240
110.0	C&R	LIGHTING SAFETY - ENHANCEMENTS	2002	2002	62								62				CL				155,169	Transfer from 1996	241
149.6	PWD-P	PARKLAND ACQUISITION	2002	2002	1,000								1,000				REF/RDC		32		156,169		242
155.0	PWD-P	GRASS MAINTENANCE EQUIPMENT	2002	2002	68								68				CL		18		156,237	Transfer from 1997	243
39.0	PROP	MACONAB STREET TRUCK TUNNEL - RAMP HEATING	2002	2002	68								68				CL				156,305	Transfer from 1996	244
134.5	C&R	STONE WALL AND WALKWAY RESTORATION - WHITEBRAN	2002	2002	80								80				CL			Advanced from 200	156,385	Transfer from 1996	245
111.0	C&R	BRIAN TIMM - FENCE REPLACEMENT	2002	2002	90								90				CL			ADVANCED FRO	156,475	Transfer from 1996	246
155.1	PWD-S	WADING POOL CONVEYANCE	2002	2002	100								100				RCP		0		156,575	Transfer from 1996	247
97.1	PWD-S	ENHANCED STREETS/CANAL	2002	2002	36								36				CL		19		156,611	Transfer from 1996	248
39.0	FIRE	FIRE STATION - BAY STREET - DESIGN	2002	2002	213								213				CL/RCP				156,824	Transfer from 1999	249
Sub-total 2002 PROJECTS					27,548								27,548										250
NET CITY COSTS - 27,548					27,548								27,548										251

2003 PROJECTS

140.7	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	2003	2003	150								150				RPL		1 NEW		156,974		252
74.7	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2003	2003	89								89				CL				157,063		253
24.7	PROP	ENERGY MANAGEMENT PROJECTS	2003	2003	300								300				CL		(40)		157,363		255
84.7	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2003	2003	50								50				CL				157,413		256
82.3	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2003	2003	9,160								9,160				DEB		1,443		166,573		257
22.7	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2003	2003	800								800				CL				167,373		258
2.7	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2003	2003	1,000								1,000				RFP				167,373		259
61.7	ROAD	CITY'S SHARE OF SERVICES THROUGH UNDIVIDED LANDS	2003	2003	1,444								1,444				ESTU/RDC				168,817		260
78.3	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2003	2003	350								350				CL				169,067	Redund from 820,000	261
63.7	PWD-P	VEHICLE REPLACEMENT PROGRAM	2003	2003	7,151								7,151				RMBE		Newly introduced		176,218		262
185.0	HECFI	HAMILTON CONVENTION CENTRE - CARPET REPLACEMENT	2003	2003	325								325				RCP-H				176,543		263
177.7	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2003	2003	160								160				RCP-H				176,723		264
23.7	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2003	2003	110								110				CL				176,833		265
159.7	PWD-P	BOCCASSETT, SHUFFLEBOARD COURT, HANDBALL DEVELOPMENT	2003	2003	50								50				CL		Outside 10 yr.		176,883	Transfer from 2005	266
57.7	FIRE	VEHICLE/APPARATUS REPLACEMENT	2003	2003	935								935				RMBE		NEW		177,818		267
129.4	C&R	IRRIGATION SYSTEMS - VARIOUS LOCATIONS	2003	2003	500								500				RCP/CL		Outside 10 yr.		178,318		268
69.7	ROAD	RAILWAY CROSSING - BILBAU INSTALLATION	2003	2003	101								101				CL				178,409		269
53.0	PROP	ROSEDALE ARENA - MECHANICAL/ELECTRICAL UPGRADE	2003	2003	346								346				CL				178,795		270

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY RANK ORDER & YEAR
(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT			NET FINANCING (CITY COST)												NATURE OF DEBT	ANNUAL CHARGES	ORIGINATED COST	NOTES	NET CUMUL TOTAL	ACTION TAKEN BY M.T.	Line No.
			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	
147.7	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2003	2003	61	11																		
26.7	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2003	2003	50																			
144.7	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	600																			
149.7	PWD-P	PARKLAND ACQUISITION	2003	2003	1,000																			
39.0	PROP	MAJOR ACCOMMODATION REFURBISHING - CITY HALL	2003	2004	4,200																			
133.2	PWD-P	WADING POOL CONVERSIONS	2003	2003	200																			
5.0	BUDG	HAMILTON REHABILITATION ASSISTANCE PROGRAMME	2003	2003	500																			
38.0	FIRE	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	2003	2003	95																			
98.0	PWD-P	WATER TRUCK - TRAFFIC ISLAND PROGRAMME	2003	2003	68																			
119.2	C&E	DALEWOOD RECREATION CENTRE - RETROFIT - DESIGN & CONSTRUCTION	2003	2004	2,188																			
133.0	C&E	CONORANION ARENA - DESIGN AND CONSTRUCTION	2003	2004	5,260																			
137.0	C&E	CHEDOKE SKI IMPROVEMENTS	2003	2003	279																			
Sub-total 2003 PROJECTS			(NET CITY COSTS - 37,761)			38,732	1,021	0	0	0	0	0	0	0	31,444	6,277	0	2,774	26					

2004 PROJECTS

140.8	PWD-P	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	2004	2004	150																		
104.5	C&E	IVOR WYNN STADIUM - RENOVATIONS AND REPAIRS	2004	2004	100																		
24.8	PROP	ENERGY MANAGEMENT PROJECTS	2004	2004	300																		
74.8	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2004	2004	90																		
44.8	PWD-S	CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2004	2004	50																		
22.8	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2004	2004	900																		
67.8	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2004	2004	1,467																		
82.4	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2004	2005	9,445																		
2.8	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	2004	2004	1,000																		
78.4	PWD-S	CITY'S SHARE OF LOCALS - RESIDENTIAL	2004	2004	350																		
177.8	HECH	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2004	2004	300																		
65.8	PWD-P	VEHICLE REPLACEMENT PROGRAM	2004	2004	7,716																		
23.8	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2004	2004	120																		
139.8	PWD-P	BOCCER, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	2004	2004	50																		
57.8	FIRE	VEHICLE/APPARATUS REPLACEMENT	2004	2004	515																		
69.8	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2004	2004	102																		
147.8	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2004	2004	61																		
23.8	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2004	2004	50																		
144.8	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAM	2004	2004	600																		

The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM
Schedule "A"

PROJECTS BY RANK ORDER & YEAR
 (Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City Cost)												OF BOND	DEBT CHARGE	DEBT COST	Comparison 1995-2004	TOTAL	BY M.T.	No.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
			START	FINISH	COST	SUBSIDY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	FINANC	(15)								(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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1492	FWD-P	PARKLAND ACQUISITION	2004	2004	1,000											1,000																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		</

2005 PROJECTS

1409	FWD-P HAMILTON PLAYSTRUCTURE REDEVELOPMENT	2005	2005	150													150	RPL		1 NEW	224,851		316
749	FWD-T TRAFFIC SIGNAL MODERNIZATION	2005	2005	92													92	CL			224,943		317
249	PROF ENERGY MANAGEMENT PROJECTS	2005	2005	350													350	CL			225,293		318
649	FWD-S CONSTRUCTION - MAINTENANCE OF CITY'S PARKING LOTS	2005	2005	50													50	CL			225,343		319
825	FWD-S ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2005	2005	9,739													9,739	DEB	1,534		235,082		320
229	PROF MAJOR MAINTENANCE TO CIVIC BUILDINGS	2005	2005	900													900	RCP			235,982		321
785	FWD-S CITY'S SHARE OF LOCALS - RESIDENTIAL	2005	2005	250													250	CL			236,232	Redevelop from 870,000	322
29	HD MUNICIPAL NON-PROFIT HOUSING COOP - LAND BANKING	2005	2005	1,490													1,490	STU/BCD		NEW	237,722		323
679	ROAD CITY'S SHARE OF SERVICES THROUGH UNDIVIDED LANDS	2005	2005	2,170													2,170	CL			239,892		324
1614	FWD-P TURNER PARK DEVELOPMENT PHASE II	2005	2005	300													300	RCP-H			240,192		325
1779	HCPV VARIOUS REPLACEMENTS & REMOVATIONS FOR FACILITIES & EQUIPMENT	2005	2005	120													120	CL			240,312		326
239	PROF CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2005	2005	8,338													8,338	RMBE		Newly Introduced	246,650		327
659	FWD-P VEHICLE REPLACEMENT PROGRAM	2005	2005	50													50	RCP		Outside 10 yr.	246,700	Transfer from 2005	328
1599	FWD-P BOCCO, BASEBALL, SHUTTLEBOARD COURT, HANDBALL DEVELOPMENT	2005	2005	749													749	RMBE		NEW	249,449		329
579	FIRE VEHICLE/APFAUTUS REPLACEMENT	2005	2005	103													93	CL		NEW	249,542		330
289	PROF ACCOMMODATION REQUIREMENTS - CITY HALL	2005	2005	50													50	RCP/CL			249,592		331
1449	FWD-P PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2005	2005	600													600	BCD		58 NEW	250,192		332
1479	FWD-P CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2005	2005	61													50	BCD		5 NEW	250,242		333
1499	FWD-P PARKLAND ACQUISITION	2005	2005	1,000													1,000	RPL/BCD		32 NEW	251,242		334
610	FIRE FIRE STATION - KERUL WORTH AVENUE - DESIGN & CONSTRUCTION	2005	2005	3,450													3,450	DEB/CL	121	Advanced 5 yrs	254,672	Transfer from 2003-04	335
120	PROF WEST AVENUE SCHOOL - RETROFIT HEATING SYSTEM	2005	2005	198													198	CL			254,870	Transfer from 1996	336
700	ROAD REPLACEMENT OF VALLEY INN ROAD BRIDGE	2005	2005	906													453	CL			255,323	Transfer from 1997	337

**The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM**

Schedule "A"

PROJECTS BY RANK ORDER & YEAR

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (CHYD Cost)										DATE OF DEBT ISSUANCE	ANNUAL ANNUAL	NOTES Comparison 1995-2004	NET CUMUL.	ACTION TAKEN BY M.T.	
			START	FINISH	COST	RUMBOY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005						FINANCING
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)
1150	C&M	EASTWOOD AVENUE - RETROFIT - DESIGN & CONSTRUCTION	2005	2005	4,679										4,679			737				
Sub-Total 2005 PROJECTS					34,775	1,474	0	0	0	0	0	0	0	0	0	35,301		2,392	76			
			(NET CITY COSTS - 35,301)																			

1996--2005 PROVISIONAL CAPITAL BUDGET

(NBT CITY COSTS - 260,002)

274,335	14,533	17,200	19,442	22,064	20,495	23,858	26,217	27,548	31,464	34,393	37,301
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14,509	436
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Parking Authority Projects:

1996 Projects

	1996	1996	250	250	KOSF	KOSF	600 per sq ft
UPGRADING - EXISTING FACILITIES							
PA	1996	1996	50	50	KOSF		260,302
STUDY & DESIGN - EXISTING AND FUTURE PARKING PROJECTS	1996	1996	50	50			
PA	300	0	300	0	0	0	0
(NET CITY COSTS - 300)							
SUB-TOTAL 1996 PROJECTS							348
							354

7-2005 Projects

[illegible]**Total 1996-2005 Parking Authority Projects**

(NET CITY COSTS - 1,650)

[illegible]

NOTE: THE IMPLEMENTATION OF PAKINGA OI HONORI PROJECT IS FINANCED FROM AN INDIAN RESERVE FUND AND NOT FROM THE FEDERAL GOVERNMENT.

TOTAL 1996-2005 PROVISIONAL CAPITAL BUDGET

(No. 2001 261,652)

375,985	14,333	17,500	19,592	22,214	20,645	24,008	26,567	27,698	31,634	34,545	37,455
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14,509	436
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The Corporation of the City of Hamilton
1996-2005 PROVISIONAL CAPITAL BUDGET PROGRAM
Schedule "A"

PROJECTS BY RANK ORDER & YEAR
(Thousands of Dollars)

For Consideration of the Committee of the Whole (30-JAN-96)

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING (City's Cost)												NATURE OF FINANCING	ANNUAL ANNUAL DEBT CREATING CHARGES COST	NOTES Comments 1995-2004	NET CUMUL TOTAL	ACTION TAKEN BY M.T.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
			START	FINISH	COST	RUBENY	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	(18)	(19)						(20)	(21)	(22)	(23)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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TOTAL COST TO BE FINANCED BY THE ISSUANCE OF DEBENTURE - Municipal (NET COST - 92,046) 1996 2005 715,881 1,838,899 4,374 6,892 6,892 6,102 7,327 8,630 8,890 12,399 16,521 17,382 16,592 456

NOTE: THE IMPLEMENTATION OF ANY PROJECT (1997 AND AFTER) FINANCED FROM RESERVES & RESERVE FUNDS IS SUBJECT TO THE AVAILABILITY OF RESERVES & RESERVE FUNDS

ASSUMPTIONS: DEBENTURE INTEREST RATE - AMORTIZED OVER 10 YEARS AT 9.25% - ANNUAL PRINCIPAL AND INTEREST PAYMENT PER \$1,000 - \$157.5431208

211.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS - RESIDENTIAL	1996	1996	755	189	566																
212.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS - RESIDENTIAL	1997	2000	3,245	811	583	600	615	634													
213.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS - RESIDENTIAL	2001	2005	4,640	1,164					656	675	694	715	736								
Sub-104d	OWNERS' Share of Locals	(NET OWNERS' COST - 6,176)			8,440	2,164	566	583	600	615	634	656	675	694	715	736							

TOTAL 1996-2005 CAPITAL BUDGET PROGRAM 284,622 1,860,932 5,099 6,627 6,627 6,117 8,181 9,286 9,585 13,084 18,246 18,032 16,592 456

NOTE: GROWTH RELATED PROJECT - TIMING DEPENDS ON THE AVAILABILITY OF FUNDING FROM THE RESERVE FOR DEVELOPMENT CHARGES. BUDGET AS PROPOSED REFLECTS PROJECTED DEVELOPMENT CHARGE FUNDING AVAILABILITY BASED UPON THE PRESENT DEVELOPMENT CHARGES BY-LAW.

DEPARTMENT ABBREVIATION:	IS	INFORMATION SYSTEMS	HECI	HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.	PROP	PROPERTY DEPARTMENT
BUDO BUILDING	IS	INFORMATION SYSTEMS	PWD-F	PUBLIC WORKS - FLEET SERVICES	ROAD	REGIONAL TRANSPORTATION SERVICE
C&R CULTURE AND RECREATION	TA	PARKING AUTHORITY	PWD-L	PUBLIC WORKS - LOCAL ROADS	TR	TREASURY
HD HOUSING DEPARTMENT	PLAN	PLANNING	PWD-B	PUBLIC WORKS - PARKS DIVISION	PWD-T	PUBLIC WORKS - TRAFFIC DIVISION
HPL HAMILTON PUBLIC LIBRARY	PWD-C	PUBLIC WORKS - COMMUNITY RENEWAL	PWD-S	PUBLIC WORKS - STREETS DIVISION		

The Corporation of the City of Hamilton
1996-2005 CAPITAL BUDGET PROGRAM
 PROJECTED DEBT, YEARLY INCREASE OF DEBT CHARGES AND DEBT CHARGES AS A % OF ADJUSTED LEVY AND GROSS CURRENT BUDGET
 FINANCIAL IMPACT - FOR CONSIDERATION OF THE COMMITTEE OF THE WHOLE (30-JAN-96)

(Thousands of Dollars)

Schedule "B" as referred to
 in Section 1 of the FIRST Report
 of the Committee of the Whole for 1996.

Line No.	Description	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	Total
1	DEBT TO BE ISSUED FOR PRIOR APPROVAL		20,000	11,330	4,479	1,000	1,000	1,000	1,603	12,390	14,531	17,303		40,412
2	PROJECTED NEW DEBT TO BE ISSUED		4,524	5,043	4,922	5,263	6,889	8,630	8,090	12,390	14,531	17,303		87,585
3	Total Projected Debt to be Issued	0	24,524	16,373	9,401	6,263	7,889	9,630	9,693	24,780	29,062	34,606		127,997
4	DEBT CHARGES, for projects approved in prior years		925	0	0	0	0	0	0	0	0	0		713
5	DEBT CHARGES, if new debt approved in - 1996			3,151	3,864	3,864	3,864	3,864	3,864	3,864	3,864	3,864		3,864
6	DEBT CHARGES, if new debt approved in - 1997			524	1,785	2,579	2,579	2,579	2,579	2,579	2,579	2,579		2,579
7	DEBT CHARGES, if new debt approved in - 1998					706	1,481	1,481	1,481	1,481	1,481	1,481		1,481
8	DEBT CHARGES, if new debt approved in - 1999						158	987	987	987	987	987		987
9	DEBT CHARGES, if new debt approved in - 2000							158	1,243	1,243	1,243	1,243		1,243
10	DEBT CHARGES, if new debt approved in - 2001								158	1,517	1,517	1,517		1,517
11	DEBT CHARGES, if new debt approved in - 2002									253	1,527	1,527		1,527
12	DEBT CHARGES, if new debt approved in - 2003										0	1,952		1,952
13	DEBT CHARGES, if new debt approved in - 2004											0	2,289	2,289
14	DEBT CHARGES, if new debt approved in - 2005												0	2,726
15	Proposed Debt Charges		925	3,675	5,649	7,149	8,082	9,069	10,312	11,924	13,198	15,150	17,439	17,014
16	PRESENT DEBT CHARGES	15,059	15,059	12,742	10,608	9,848	8,107	6,516	6,521	6,511	3,486	3,067	1,255	0
17	Total Debt Charges paid out of Mill Rate	15,059	13,667	14,283	15,497	15,236	14,598	15,590	16,823	15,410	16,265	16,405	18,694	17,014
18	Transfer to/(from) reserve for Debt Charges		1,392	776	(438)	(100)	650	(250)	(1,400)	100	(500)	(230)	(1,500)	1,500
19	TOTAL DEBT CHARGES TO BE BUDGETED	15,059	15,059	15,059	15,059	15,136	15,248	15,340	15,423	15,510	15,765	16,175	17,194	18,514
20	NOTE - DELAYED FINANCING: DEBENTURE FINANCING WILL BE DELAYED ONE YEAR FOLLOWING COUNCIL APPROVAL													
21	DEBT CHARGES - Increase over Prior Year - Amount		0	0	0	97	92	92	83	87	255	410	1,019	1,320
21	DEBT CHARGES - Increase over Prior Year - As a %	0.0%	0.0%	0.0%	0.0%	0.6%	0.6%	0.6%	0.5%	0.6%	1.6%	2.6%	6.3%	7.7%
22	Debt Charges - Average compounded rate of increase 1996-2005													
24	DEBT CHARGES AS A % OF ADJUSTED LEVY	11.47%	11.47%	11.47%	11.25%	11.10%	10.94%	10.80%	10.64%	10.49%	10.45%	10.52%	10.96%	11.57%
25	Debt Charges to Levy - Average Increase 1996-2005													10.91%
26	Debt Charges to Levy - Average Increase 1996-2005													
27	Debt Charges as a % of Gross Budget	9.12%	9.12%	9.12%	8.94%	8.82%	8.70%	8.58%	8.46%	8.34%	8.31%	8.36%	8.71%	9.20%
28	ASSUMPTIONS:													
29	Capital Levy Provision in the Current Budget	3,014	2,015	2,025	3,053	4,091	5,140	6,198	6,229	6,261	6,292	6,323	6,355	6,387
30	Adjusted Levy (Inc. 1996 to 97 - 0%, Other - 2% Annually)	131,279	131,279	131,279	133,905	136,383	139,315	142,101	144,943	147,842	150,799	153,815	156,891	160,029
31	Current Budget (Inc. 1996 to 97 - 0%, Other - 2% Annually)	165,107	165,107	165,107	168,409	171,777	175,213	178,717	182,291	185,937	189,656	193,449	197,318	201,264
33	Interest Rate - Amortized over 10 Years @ 9.25% per annum - Annual Debt Charges Payment per \$ 1,000 is \$						157.543							
34	The previous Capital Levy Policy of SIX MILLS has now been provided as 3 MILLS for 1995, 2 MILLS for 1996, 2 MILLS for 1997, 3 MILLS for 1998, 4 MILLS for 1999, 5 MILLS for 2000, 6 MILLS for 2001 & on.													
35	Assessment growth (Increase @ 0.20% for 1996 & 0.5% 1997 & on)	1,004,699	1,007,429	1,012,467	1,017,730	1,022,819	1,027,933	1,033,073	1,038,238	1,043,429	1,048,646	1,053,889	1,059,158	1,064,454

URBAN/MUNICIPAL
CA4 ON HBL AOS
M21
1996

Minutes of Hamilton City Council
Tuesday, 1996 February 13
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

FEB 16 1996

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman F. Eisenberger - civic business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 January 30 were adopted as circulated.

PRESENTATION

Mr. Jim Coats, Executive Director of the International Society of Arboriculture Ontario Inc. presented an Arboricultural Award of Merit to the City of Hamilton.

CORRESPONDENCE

1. Letter dated 1996 January 30 from Mayor Walter Mulkewich, City of Burlington Re: City of Burlington Governance Issues. (previously distributed)

Referred to the Finance and Administration Committee.

2. Application dated 1996 February 6 from A. DiSilvestro, 200 Rymal Road Inc., Hamilton, Ontario for a change in zoning from "DE-3" (Multiple Dwellings) District modified and "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single Family Detached) District for property located at the south-west corner of Upper Wellington and Rymal Road East, Hamilton, Ontario.

Received.

3. Letter dated 1996 February 12 from the Co-Chairs of the Constituent Assembly advising of the Constituent Assembly's financial analysis assumptions.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Wilson, Copps, Morelli, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 24 Re: Stylized Symbol - Hamilton's 150th Sesquicentennial year

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Merling. -1.

CARRIED.

* * * * *

Section 26 Re: Hamilton District Labour Council - Days of Protest

It was moved by Alderman Wilson and seconded by Alderman Copps that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting road closures on Saturday, 1996 February 24th.

CARRIED.

* * * * *

Section 26 Re: Hamilton District Labour Council - Days of Protest

It was moved by Alderman Wilson and seconded by Alderman Copps that the following resolution be added as Section 26 of the Third Report for 1996 of the Transport and Environment Committee:

26. That the request of Steve Farkas, agent for the Hamilton and District Labour Council, to temporarily close the following streets on Saturday, 1996 February 24, from 11:30 a.m. to 2:30 p.m.:

Bay Street from Pier 4 Park to Strachan Street,
Strachan Street from Bay Street to James Street North,
James Street North from Strachan Street to Barton Street

be approved subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
- (b) That the applicant provide proof of \$3,000,000. public liability insurance naming the City of Hamilton and the Region as an added insured party with a provision for cross liability, and holding the City of Hamilton and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
- (d) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (e) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SECOND REPORT

FINANCE & ADMINISTRATION COMMITTEE - SECOND REPORT

Section 2 Re: Task Force - Reviewing Corporate reorganization

It was moved by Alderman Caplan and seconded by Alderman McCulloch that Section 2 of the Second Report of the Finance and Administration Committee be referred back with instructions to determine the role of the task force.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch. -3.

NAYS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Collins, Charters,
Jackson, Merling, Anderson, D'Amico, Ross. -13. **LOST.**

* * * * *

Section 10 Re: Bassai Engineering Limited

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 10 of the Second Report for 1996 of the Finance and Administration Committee be amended to delete sub-section (b) and substitute in lieu thereof the following:

- (b) That the authorization referenced in sub-section (a) above be subject to an Agreement satisfactory to the City Solicitor being made between Bassai Engineering Limited and the City of Hamilton and signed Releases being obtained from the three Engineering students participating in the test project, and that the Agreement specify insurance requirements, indemnification of the City, and the maximum duration of the test project; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT
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Section 2 Re: Use of facilities - Days of Protest

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli,
Copps, Wilson, Collins, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Merling. -2. **CARRIED.**

NOMINATING COMMITTEE - SECOND REPORT

(Appoint Members to Committee of Adjustment)

RESOLUTION

Rule No. 9 Re: Use of Dundurn Park and the Bayfront Park for Days of Protest

It was moved by Alderman Anderson and seconded by Alderman Charters that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the use of Dundurn Park and the Bayfront Park.

CARRIED.

* * * * *

Re: Use of Dundurn Park and the Bayfront Park for Days of Protest

It was moved by Alderman Anderson and seconded by Alderman Charters that permission be granted to the organizers of the February 23 and 24 Days of Protest to utilize areas of Dundurn Park and Bayfront Park for parking and marshalling purposes, in accordance with applicable city policies.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:20 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 February 13
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1. That the existing full-time "Permit Parking" regulation on the west side of Norway Avenue between Maplewood Avenue and Afton Avenue be revised such that it is in effect from 8:00 a.m. to 5:00 p.m., Monday to Friday and that the City Traffic By-law No. 89-72 be amended accordingly.
2. That the existing "No Parking" regulation on the west side of Summit Avenue commencing at Concession Street and extending to a point 128 feet northerly therefrom be revised such that the regulation commences at Concession Street and extends to a point 154 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Annapolis Way between Acadia Drive and Beaverton Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing "No Parking" regulation on the east side of Champlain Avenue which commences at Catalina Drive and extends northerly to Greenford Drive be revised to allow unrestricted parking on the east side of Champlain Avenue commencing 96 feet north of the extended south curb line of Catalina Drive and extending 95 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
5. That the City Traffic By-law No. 89-72 be amended to allow for the existing westbound stop sign on Gary Avenue at Dalewood Avenue.
6. That eastbound and westbound stop control be implemented at the intersection of Glow Avenue and Knox Avenue such that the intersection will be controlled by a four-way stop and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Wildewood Avenue be extended 36 feet westerly such that it commences 65 feet east of Brentwood Drive and extends 201 feet easterly and that the City Traffic By-law No. 89-72 be amended accordingly.
8.
 - (a) That a "Permit Parking" regulation be implemented on the south side of MacAuley Street West commencing at a point 269 feet west of MacNab Street North and extending to a point 16 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Paula Fernandes, No. 57 MacAuley Street West.
9.
 - (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Dover Drive commencing at a point 94 feet west of Greenford Drive and extending 40 feet westerly therefrom be revised such that the regulation commences 54 feet west of Greenford Drive and extends 122 feet westerly; and,
 - (b) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Owen Place commencing at a point 75 feet west of Greenford Drive and extending 117 feet westerly be removed; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
10. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 26th Street commencing at a point 207 feet north of Queensdale Avenue and extending 80 feet northerly and the City Traffic By-law No. 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Stirton Street commencing at a point 36 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Celine Martin, No. 118 Stirton Street.

12. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be removed:

Route No. 24 Upper Sherman

Delete - Westbound - Beaverton Drive, north side 100 feet west of the centre line of Upper Sherman Avenue (F/S); and,

Delete - Eastbound - Acadia Drive, south side, 95 feet west of the centre line of Upper Sherman Avenue (N/S); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

13. That Stuart Street between Bay Street North and Queen Street North be removed from the "Through Street" system, and that the City Traffic By-law No. 89-72 be amended accordingly.

14. (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue North commencing at a point 243 feet south of Vansitmart Avenue and extending to a point 21 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Marion Papps, No. 331 Fairfield Avenue North.

15. (a) That a "Permit Parking" regulation be implemented on the north side of Picton Street East commencing at a point 115 feet east of Mary Street and extending to a point 25 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Patricia Barr, No. 129 Picton Street East.

16. (a) That approval be given for the use of a single towing agency for vehicles towed through the Public Works and Traffic Department; and,

- (b) That Lockwood Motors Limited be selected as the towing agency to provide the towing and storage service; and,

- (c) That approval be given to transfer the function of "Priority By-law" towing from the Hamilton-Wentworth Regional Police Department to the Public Works and Traffic Department, effective 1996 February 15.
-
- 17. (a) That a purchase order be issued to Guild Electric Limited, Scarborough, Ontario, for the supply and delivery of sign blanks as and when required during 1996 by the Traffic Division, being the lowest of four bids on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$65,000. be financed through the Traffic Signs Materials Account No. CH56152 75999, and;
 - (b) That a purchase order be issued to Canadian Roadway Products, North York, Ontario, for the supply and delivery of sign blanks as and when required during 1996 by the Traffic Division, being the lowest of four bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$50,000. be financed through the Traffic Signs Materials Account No. CH56152 75999.
-
- 18. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved during the pleasure of Council, provided:
 - (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
-
- 19. That the application of L.A.J.J. Enterprises Inc. to erect and maintain the following encroachments at the condominium complex comprised of 5-7, 9-11 Rockwood Place, 362-366 John Street South and 21-25 Mountwood Avenue:

- (a) Onto Rockwood Place:
6 Sets of steps measuring 0.46m X 1.66m
- (b) Onto John Street South:
2 Sets of steps measuring 0.46m X 0.77m
Portion of retaining wall measuring 0.30m X 0.70m; and,
- (c) Onto Mountwood Avenue:
2 sets of steps measuring 0.46m X 0.74m
Portion of a retaining wall measuring 0.30m X 0.83m; and,
- (d) Onto Louisa Avenue:
Proposed New Jersey barrier measuring 82m in length
Paving measuring 2.0m X 63.0m; and,

be approved during the pleasure of Council, provided:

- (i) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (ii) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement; and,
- (iii) That the owner pay a first year fee of \$252. for processing and registration and an annual fee of \$20. for this encroachment.

20. (a) That, the Director of Property be authorized to negotiate with the following owners for the acquisition of a portion of their lands required for the extension of Elmore Drive in the Eleanor Neighbourhood. The necessary expenditures are to be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands):

Property

Owner

- | | | |
|-----|--|---------------------------|
| (i) | Part of 1472 Upper Gage Avenue
Part 2, Plan 62R-11322 | John and Barbara Crockett |
|-----|--|---------------------------|

- (ii) Part of 1476 Upper Gage Avenue Joseph and Joan Salgo
Part 3, Plan 62R-11322
- (iii) Part of 1490 Upper Gage Avenue Gene and Helen Lee and
Part 4, Plan 62R-11322 Daniel Alvey
- (iv) Part of 1496 Upper Gage Avenue Bertinella Zanesco, In Trust
Part 5, Plan 62R-11322; and,

(b) That in the event that the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before 1996 April 30, the City Solicitor be authorized and directed to initiate expropriation proceedings, and the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value. The costs are to be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands).

21. That the City's present "Flat Rate Fee" of \$ 300. per metre of property frontage and/or flankage, applied to all outstanding City of Hamilton municipal servicing costs recovered along 0.30 metre reserves, remain unchanged for 1996.

..

22. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of the Hamilton and District Sledge Hockey Association to display a promotional banner across Main Street West in front of City Hall from 1996 February 3 to 1996 February 4 and from 1996 February 10 to 1996 February 11 with the message "Wendy's International Sledge Hockey Tournament".

23. (a) That the Commissioner of Public Works and Traffic be authorized to sell surplus cobblestone salvaged from Ferguson Avenue; and,

(b) That the revenue from the sale of these cobblestones be credited to Account No. 60144 51401 Sidewalk Special Projects to offset the Department's costs of preparing the stones for sale and to facilitate restoration of interlock paving stone surfaces throughout the City in 1996.

24. (a) That the stylized symbol as illustrated in Appendix "B", attached hereto, commemorating Hamilton's 150th sesquicentennial year be approved as a logo to be used for stamping all civic concrete poured during 1996; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to prepare concrete stamps using the approved logo and further to stamp all civic concrete poured in the City of Hamilton in 1996.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Merling. -1.

CARRIED.

25. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-5 A By-law to Amend By-law No. 94-137 and to Repeal By-law No. 95-204 to close a portion of Mead Avenue for a Temporary Period
- (b) A-6 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-7 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (d) A-8 A By-law to Amend By-law No. 95-155 respecting the construction of Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act, comprised of independent concrete sidewalks on the south side of Rymal Road East from Upper James Street to Springside Drive.

26. That the request of Steve Farkas, agent for the Hamilton and District Labour Council, to temporarily close the following streets on Saturday, 1996 February 24, from 11:30 a.m. to 2:30 p.m.:

Bay Street from Pier 4 Park to Strachan Street,
Strachan Street from Bay Street to James Street North,
James Street North from Strachan Street to Barton Street

be approved subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,

- (b) That the applicant provide proof of \$3,000,000. public liability insurance naming the City of Hamilton and the Region as an added insured party with a provision for cross liability, and holding the City of Hamilton and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
- (d) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (e) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services. **ADDED**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 February 5

Appendix "A" as referred to in
Section 18 of the THIRD
Report of the Transport and
Environment Committee for 1996

<u>Location and Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
113 Crosthwaite Avenue	P. and M. Bianchini	Interlocking Brick measuring 2.921m x 0.483m Planter Box measuring 0.660m x 0.483m Concrete Driveway measuring 3.124m x 0.483m Private Walkway measuring 1.044m x 0.483m	138/20	T103 50 1216
16 Chestnut Avenue	S. W. and S. Bell	Steps measuring .70m X 1.22m	138/20	T103 50 1220

Appendix "B" as referred to in
Section 24 of the THIRD
Report of the Transport and
Environment Committee for 1996



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. That approval be given to Zoning Application ZAR-95-29, Peter Georgakopoulos, owner, requesting a further modification to the "M-12" (Prestige Industrial) District regulations, to permit a restaurant (maximum seating capacity of 30) as an accessory use within the existing banquet hall building, for property located at 1050 Rymal Road East, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (a) That the "M-12" (Prestige Industrial) District regulations, as contained in Section 17D of Zoning By-law No. 6593, as amended by By-law No. 90-43, applicable to the subject lands, be further amended to include the following variance as a special requirement:
 - (i) Notwithstanding Section 17D(1)(b) of By-law No. 6593, the following is permitted:
 - i) a restaurant accessory to the existing banquet facility and catering business with a maximum seating capacity of 30 persons, only within the existing building;
 - (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1154a, and that the subject lands on Zoning District Map E-49E be notated S-1154a;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E, for presentation to City Council; and,
 - (d) The proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. A. (a) That approval be given to Subdivision Application 25T-90001(R), 800064 Ontario Inc. (A. DiSilvestro), owner, to establish a draft plan of subdivision "Claudette Gardens Phase 7", on lands located west of Garth Street and north of Gisele Drive, known municipally as 1600 Garth Street, in the Falkirk East Neighbourhood, as shown on the attached map marked as APPENDIX "B" subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by J.P. Wooley, O.L.S., dated November 15, 1995, showing 49 lots for street townhouses, 3 lots for single family dwellings, 7 blocks to be developed in conjunction with adjacent lands, a block for a 0.30m reserve, a block for the widening of Garth Street and one street identified as Street "A", as shown on the attached map marked as APPENDIX "C".
 - (ii) That the Owner establish Street "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Senior Director, Roads Department.
 - (iii) That the Owner dedicate by Certificate on the Final Plan of Subdivision a strip of land 8.23m in width along the entire frontage of the subdivision adjacent to Garth Street to the City of Hamilton as a public highway, for road widening purposes.
 - (iv) That the Owner provide the Region with documentation satisfactory to the Commissioner of Transportation/Environmental Services that the standard roadway cross-section, utilities and municipal sidewalks etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width.
 - (v) That a 4m x 4m daylight triangle be included on the Final Plan of subdivision at the L-shaped bend in the road allowance on Street "A" at Lot 15 and a 1m x 1m daylight triangles on the corner of Lots 1 and 49 at the intersection of Gisele Drive and Street "A".

- (vi) That the Owner convey Block "60", that being a 0.30 m wide reserve along the rear of Lots 1 to 14 inclusive, to the City of Hamilton, by deed, at the time of registration of the Final Plan of Subdivision.
- (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (viii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Senior Director, Roads Department;
 - (3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch;
 - (4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction.
- (ix) That the Owner merge in title Blocks 56, 58 and 59 with Lots 21, 20 and 19, Registered Plan 62M-760 at the time of registration of the final plan of subdivision.
- (x) That the Owner merge in title Blocks 53, 54, 55 and 57 with Lots 13, 12, 11 and 10, Registered Plan 62M-746 at the time of registration of the final plan of subdivision.

- (xi) That Street "A" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (xii) That the Owner prepare and submit, to the satisfaction of the Director of Planning, a municipal street numbering plan.
 - (xiii) That the final plan conform with the Zoning By-law approved under the Planning Act.
 - (xiv) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan.
 - (xv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (xvi) That the Owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
 - (xvii) That the Owner enter into a subdivision agreement with the City of Hamilton, in order to satisfy all requirements, financial, engineering and otherwise, prior to the development of any portion of these lands.
 - (xviii) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-90001(R)), 800064 Ontario Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
- (d) That the approved Falkirk East Neighbourhood Plan be amended to add the public highway shown as Street "A" and that Blocks "53" to "57" inclusive, on the draft plan of subdivision be redesignated from "Attached Housing" to "Single & Double" upon Draft Plan Approval of the Plan of Subdivision.

B. That approval be given to Zoning Application 95-27, 80064 Ontario Inc., (A. DiSilvestro), owner, requesting a further modification to the "RT-20" (Townhouse-Maisonette) District regulations to remove the prohibition on street townhouse units (Blocks "1" and "2"), and for a change in zoning from "RT-20" (Townhouse-Maisonette) District to "R-4" (Small Lot Single - Family Dwelling) District for Block "3" and to "C" (Urban Protected Residential, etc.) District for Block "4", for lands located west of Garth Street and north of Gisele Drive, known municipally as 1600 Garth Street, in the Falkirk East Neighbourhood, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the "RT-20" (Townhouse-Maisonette) District provisions as contained in Section 10E of Zoning By-law No. 6593, as amended by By-law No. 90-311, applicable to Blocks "1" and "2", be further modified as follows:
 - (i) That Section 4.(a) of By-law No. 90-311 be deleted in its entirety;
 - (ii) That notwithstanding Section 10E(2)(a), a townhouse block containing a maximum of 7 single family dwelling units to be used as model units in accordance with the requirements of Section 6.(1) shall be permitted;
 - (iii) That notwithstanding Section 10F.(4)(c)(ii), a minimum side yard of 1.75 metres shall be provided and maintained for a Street Townhouse Dwelling, not exceeding two storeys in height;
 - (iv) That notwithstanding Section 10F(4)(a), a front yard depth of not less than 7.0 m shall be provided and maintained for Block "1";
- (b) That Block "3" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified, to "R-4" (Small Lot Single - Family Dwelling) District;
- (c) That Block "4" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified, to "C" (Urban Protected Residential, etc.) District;
- (d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1195b, and that Blocks "1" and "2" on Zoning District Map W-27D be notated S-1195b;

- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27D for presentation to City Council;
 - (f) That the proposed changes and modification in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
3. That approval be given to City Initiative 96-A, to amend Zoning By-law No. 6593, to require at least 50% of the front yard for single, two and three-family dwellings to be landscaped as follows:
- (a) That Section 18 - Supplementary Requirements and Modifications be amended to include a new section as follows:

SPECIAL REQUIREMENTS FOR FRONT YARD LANDSCAPING

- "18.(14a) Notwithstanding any other provision of this by-law, for any single-family dwelling, two-family dwelling or three-family dwelling:
- (i) not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials;
 - (ii) for the purposes of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:
 - (a) unenclosed entrance porches;
 - (b) vestibules;
 - (c) ramps;
 - (d) front steps;
 - (e) chimneys;
 - (f) bay windows;
 - (g) ornamental projections;
 - (h) terraces;
 - (i) platforms; and,
 - (j) a walkway between the front entrance of the principle building and the street line or driveway with a maximum width of 0.6 m.

(iii) Notwithstanding clause 14.(i), in cases where at least half the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:

(a) a driveway between the front entrance of the garage and the street line with maximum width of:

- 1) 3.0 m for each door of a one, two or three car garage; or,
- 2) 5.5 m for a double door of a two car garage; and,

(b) a walkway between the front entrance of the principle dwelling and the street line or driveway with a maximum width of 0.6 m.

provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel pavers, or other similar materials."

- b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4. That the Building Commissioner be authorized to issue a demolition permit, as per Section 33 Chapter 1(7) of The Planning Act for the building located at 266 - 280 King Street East in accordance with By-Law 74-290 subject to the following conditions:

- a) That the new building to be substantially completed on the site not more than two years from the day demolition of the existing residential property is commenced; and,
- b) That failure to complete the new building within the time specified, the City shall collect the maximum sum of \$20,000. for each of the 17 dwelling units in a like manner as municipal taxes. The condition for redevelopment shall be registered on title in accordance with the provisions of the Planning Act.

5. That the concept plans attached as Appendix 'D' identifying various streetscaping improvements within the boundaries of the Barton General B.I.A. be approved for implementation under the Barton Street Revitalization Program at an estimated cost of \$25,000.

6. That the Building Commissioner be directed not to issue a demolition permit for a single family dwelling at 129 Broadway Avenue.
7. That \$4,000. be provided for the Eighth Annual Business Development Seminar that is being held on 1996 October 23, from Phase IV of the downtown Action Plan Account Number CF 5200-428803000.
8. That the Ottawa Street B.I.A.'s request to utilize \$7,142. of the Commercial Improvement Program monies towards a mural project within the B.I.A. boundaries be approved and recovered from account number CF 5698 428705012.
9. That the City of Hamilton's Public Works and Traffic Department, in conjunction with The Keep Hamilton Clean Committee, hold The 8th Annual Public Service Announcement Competition through Mohawk College Media studies Program and CHCH-TV at a total estimated cost of \$2,500.
10. (a) That approval be granted to application CDM-CONV-95-009 submitted by Bartonellis Holdings Limited, 350714 Ontario Limited, Rosa Lardi, owner, for a draft plan of condominium located at 30 Summit Avenue to provide for a condominium comprised of a 7 storey apartment building containing 38 individual apartment condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated January 18, 1996 prepared by Consoli & Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (iii) That prior to approval of the final plan,
 - 1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - 2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. In particular, it is required that the building's non-

compliance to the existing Site Specific By-Law 73-13 as amended by Committee of Adjustment A-74:50 be rectified by a re-zoning or minor variance;

- (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-009);
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
11. A. (a) That approval be granted to application CDM-CONV-95-003 submitted by Roy Megna (In Trust), owner, for a draft plan of condominium located at 2373 King Street East to provide for a condominium comprised of a 5 storey apartment building containing 39 individual apartment condominium units, subject to the following conditions:
- (i) That this approval applies to the attached draft plan dated March 24, 1995 prepared by Consoli & Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;

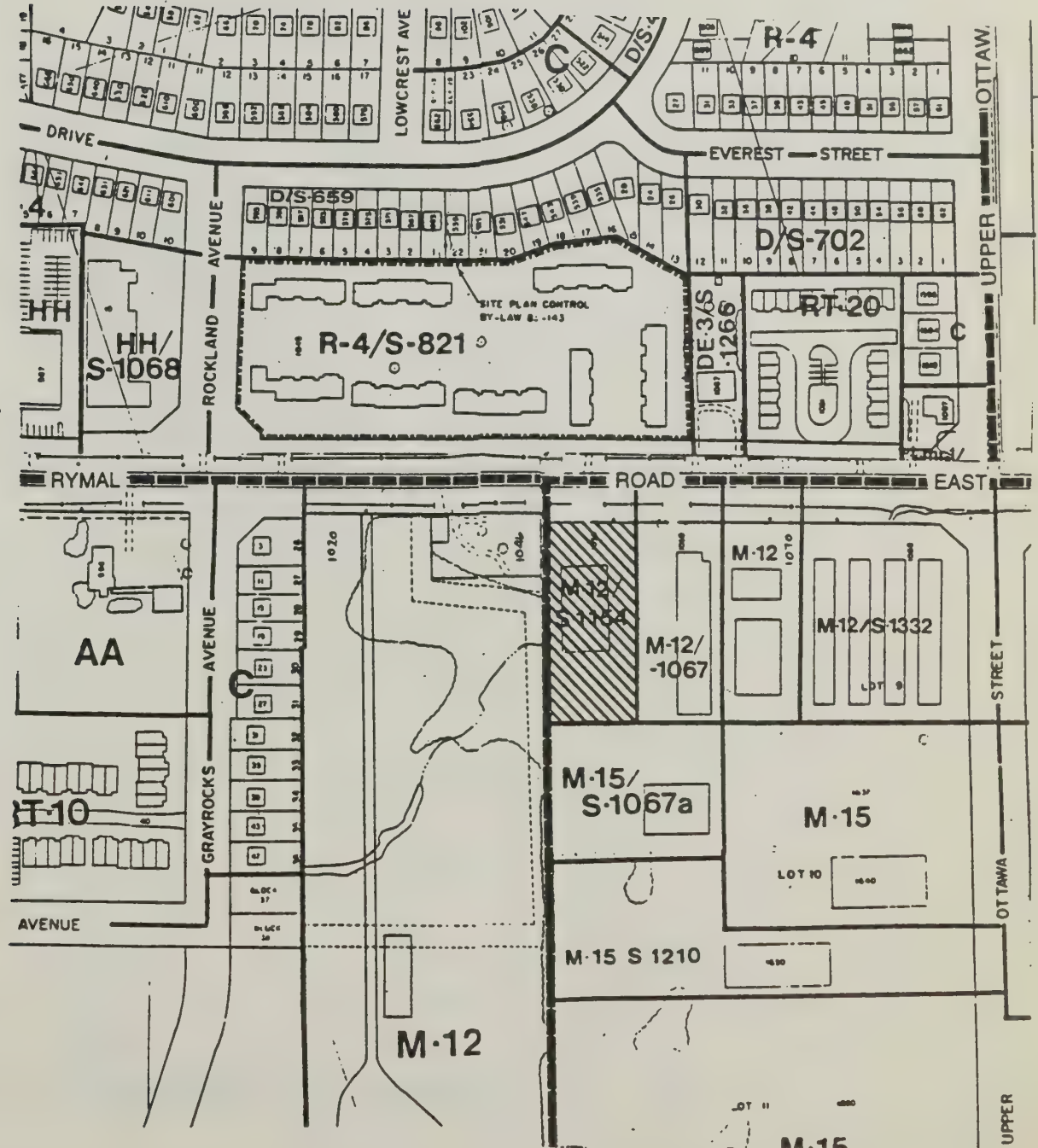
- (iii) That prior to approval of the final plan,
 - 1. property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - 2. any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593. In particular, it is required that the building's non-compliance with General Zoning By-law 6593 namely the existence of a 39th unit be rectified by a re-zoning or minor variance;
- (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-003);
- (v) That the owner shall have satisfied all requirements, financial and otherwise of The Regional Municipality of Hamilton-Wentworth and that the City be advised by The Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from The Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
- (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
- 12. (a) That approval be given to the "Intention to Designate" the Burlington Canal Lighthouse and Keeper's Dwelling complex at 1159 and 1155 Beach Boulevard as a property of historical and architectural value as outlined in the Reasons for Designation attached hereto and marked as Appendix "E", pursuant to the provisions of the Ontario Heritage Act, 1989; and,

- (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1989.
- 13. That City Council reaffirm its decision of 1995 November 28 that Application CD-95-010, Under the Rental Housing Protection Act, 350 Concession Limited, owners, for conversion of 27 rental apartment units for the property located at 350 Concession Street, be Denied for the following reasons:
 - (a) Approval of the application would have an adverse impact on the supply of affordable rental apartment units in the City of Hamilton Zone; and,
 - (b) There is lack of alternative vacant units within the Hamilton Mountain Zone to which existing tenants could relocate.
- 14. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-03 By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1270 Upper James Street.
 - (b) C-04 By-law to amend By-law No. 87-178 Respecting The Barton East #1 Business Improvement Area.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 February 7**



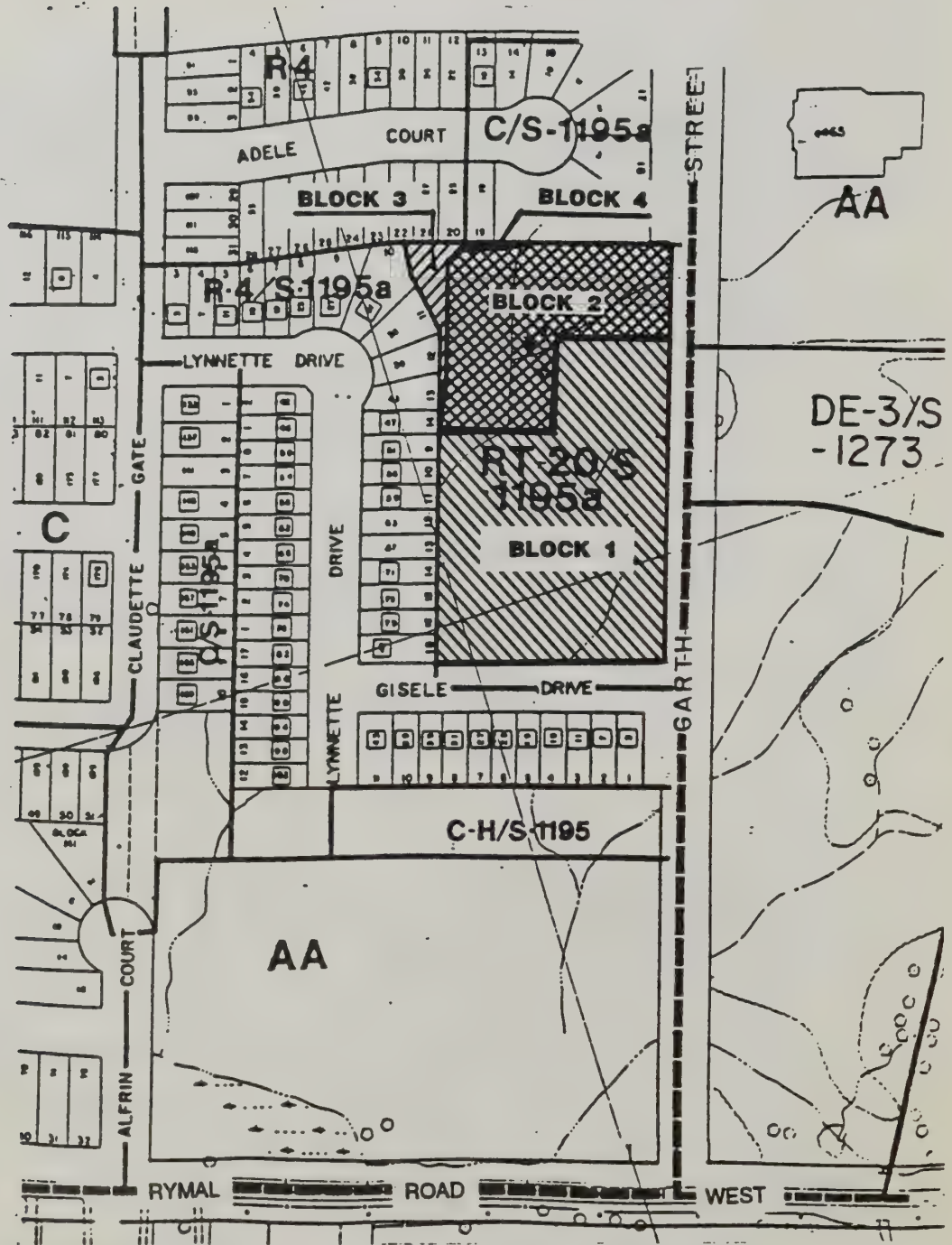
Legend



Site of the Application



Appendix "B" as referred to in Section 2. A of the Second Report of the Planning and Development Committee for 1996



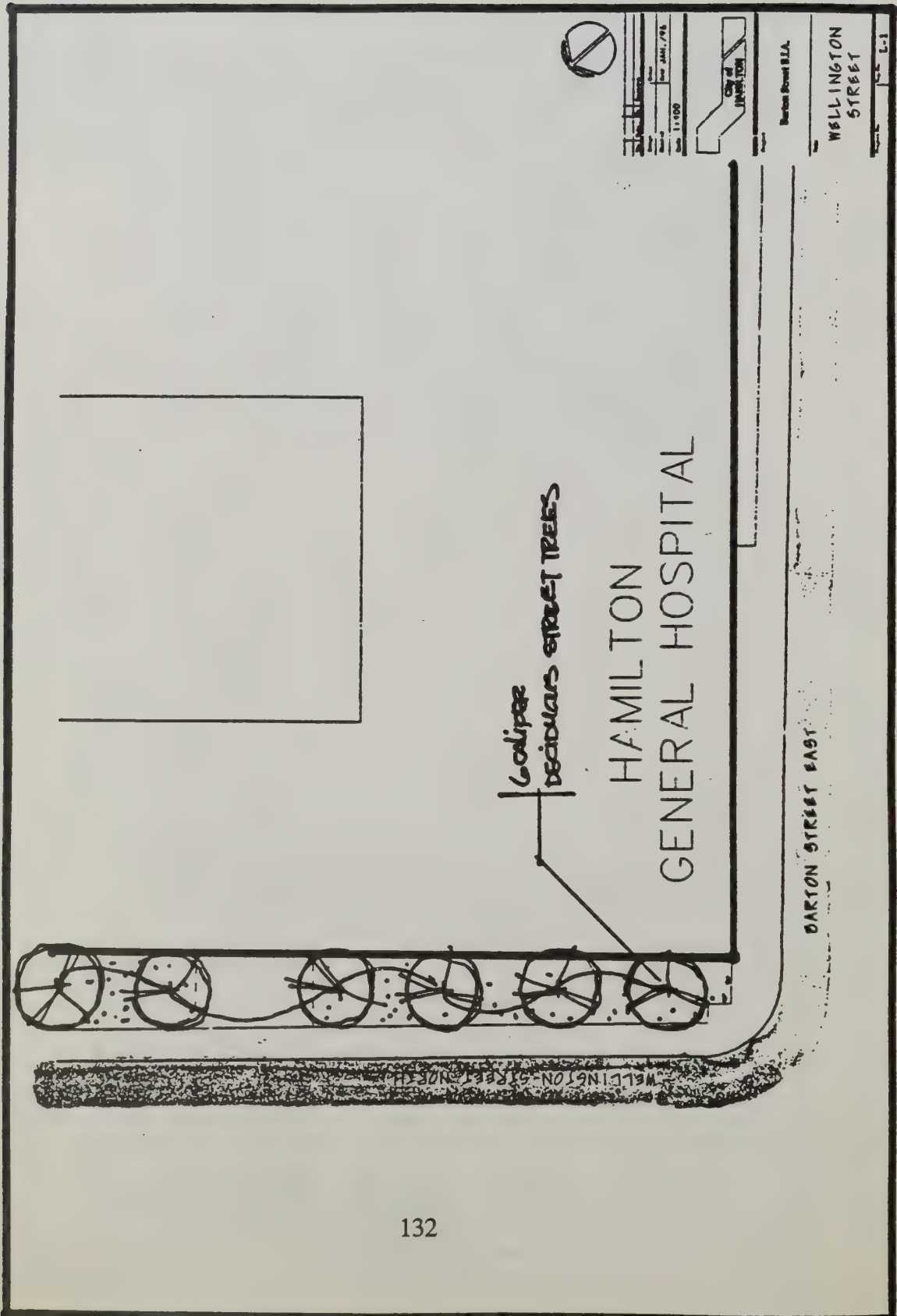
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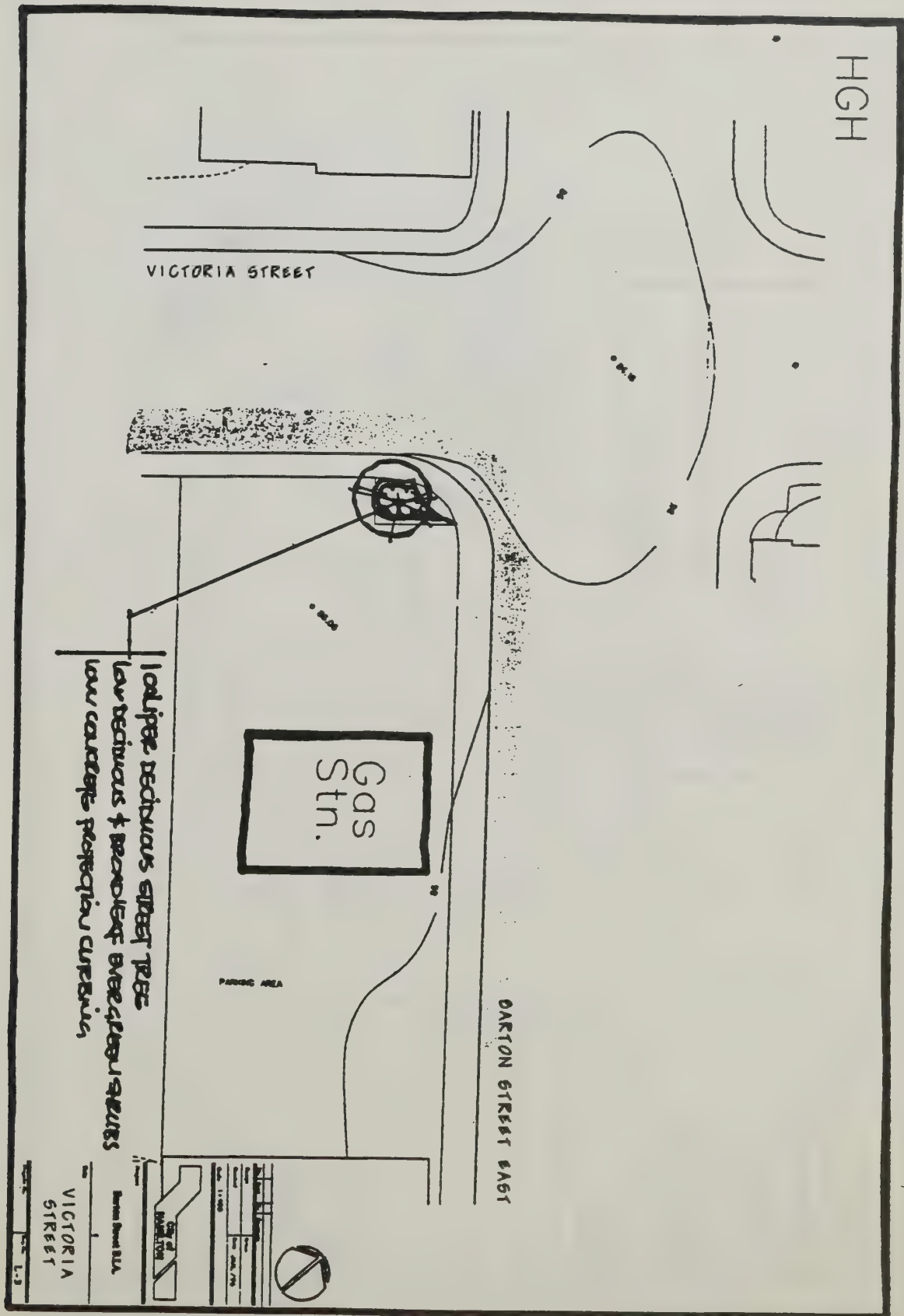
Proposed change in zoning :

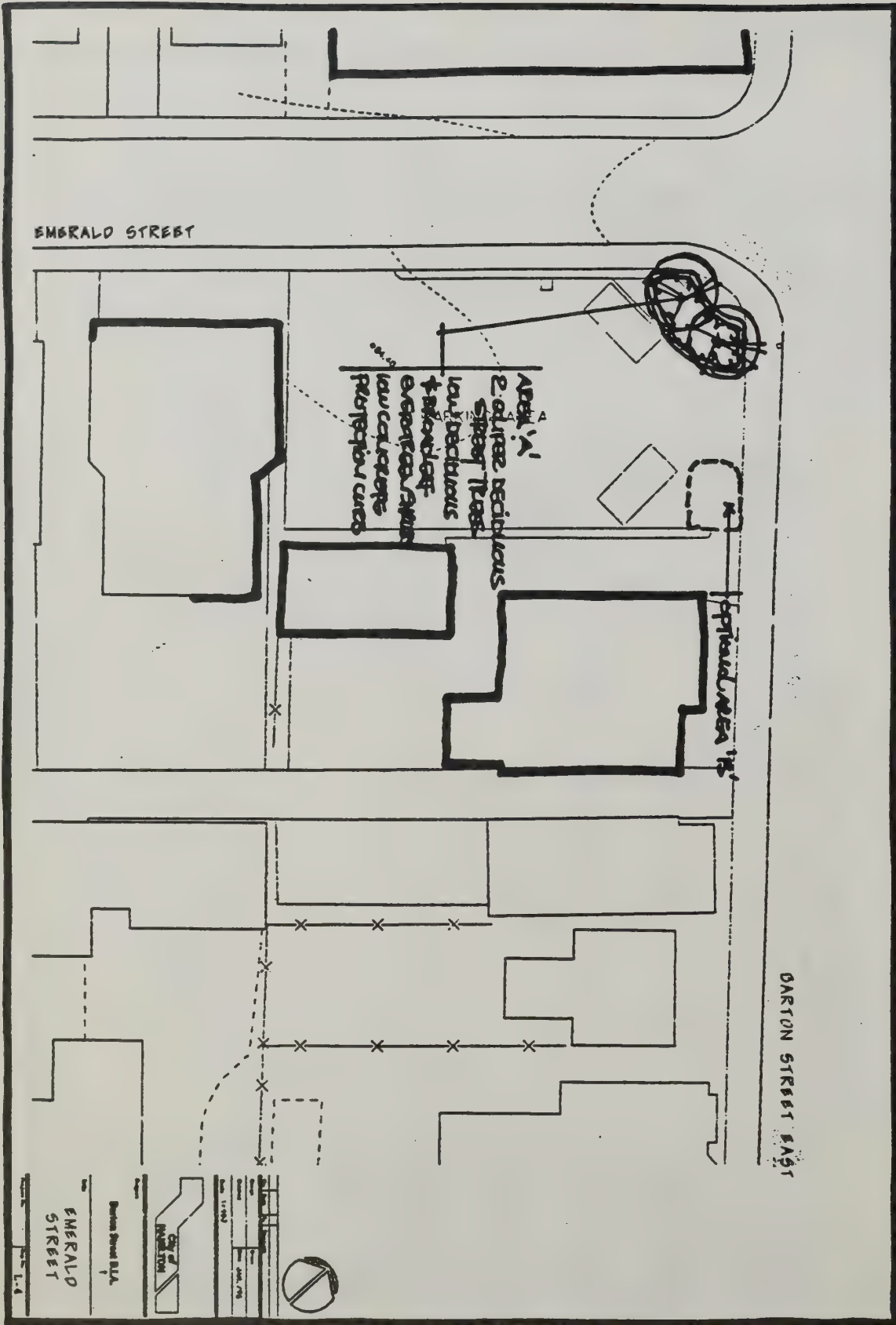
BLOCK 1	BLOCK 2	Further modification to the established "RT-20" (Townhouse - Maisonette) District.
BLOCK 3		From "RT-20" (Townhouse - Maisonette) District modified, to "R-4" (Small Lot Single Family Dwelling) District.
BLOCK 4		From "RT-20" (Townhouse - Maisonette) District modified, to "C" (Urban Protected Residential, etc.) District.

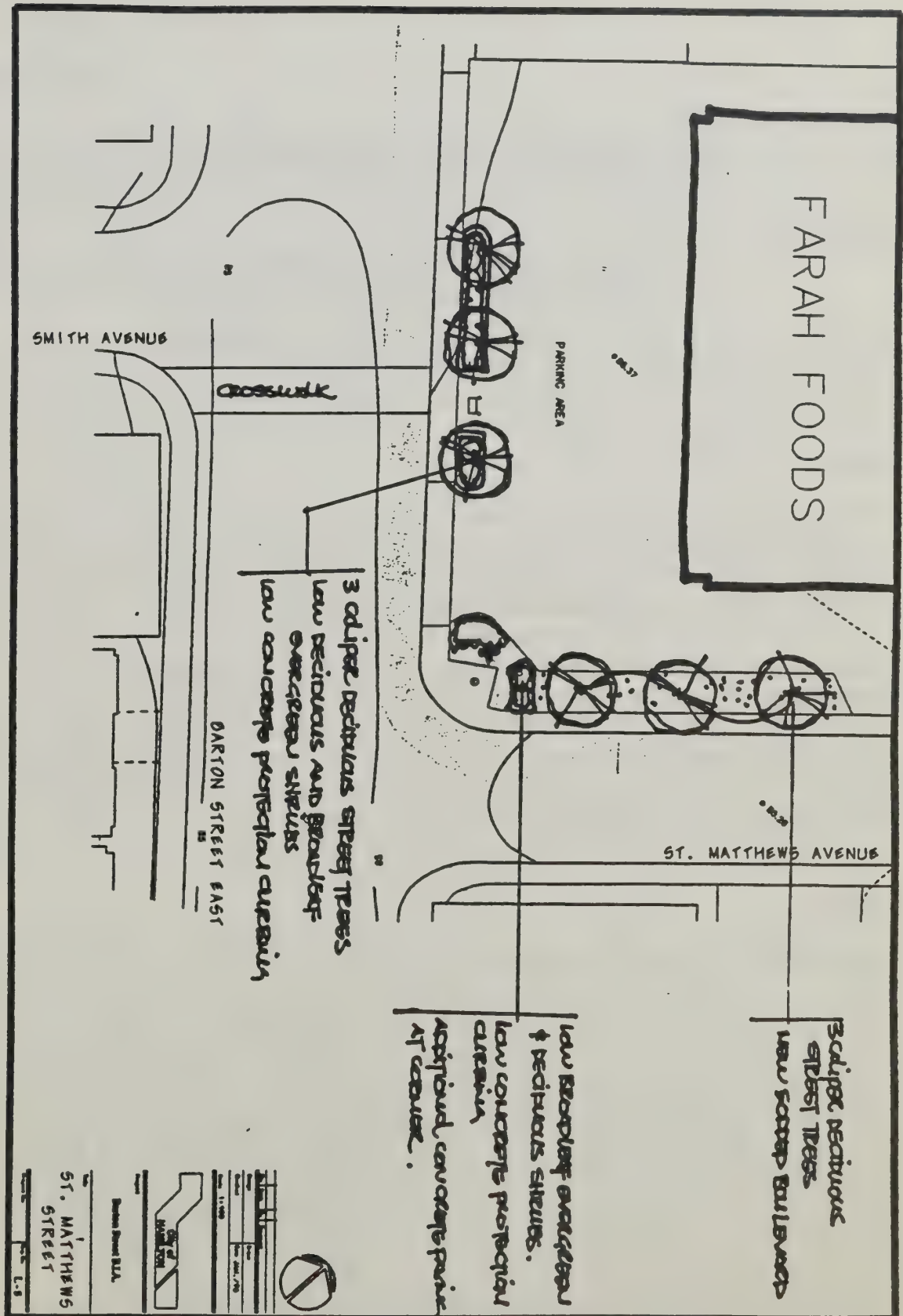


Appendix "D" as referred to
in Section 5 of the
Second Report of the
Planning and Development
Committee for 1996









REASONS FOR DESIGNATION

Burlington Canal Lighthouse and Keeper's Dwelling 1159 and 1155 Beach Boulevard Hamilton, Ontario

Context

The lighthouse and adjacent keeper's dwelling, built respectively in 1858 and 1857, are located just south of the Burlington Canal on the strip of land dividing Hamilton Harbour and Lake Ontario. The lighthouse, a *recognized federal heritage building*, marks the entry into the protected waters of the harbour.

Once a prominent landmark on the Beach Strip, the still impressive 55-foot high circular stone structure is now overshadowed by the adjacent steel tower of the vertical lift bridge and elevated roadway to the east and the Skyway Bridge to the west. Gone from its turn-of-the century setting, when the Beach Strip was a popular summer resort, are the Royal Hamilton Yacht Club quarters (1892-1915), the hotels, boardwalk, and the road and railway swing bridges.

History

The lighthouse complex is closely associated with Hamilton's development as a major lake port, which began with the opening of the Burlington Canal in 1832. The first lighthouse and keeper's dwelling, both frame buildings erected in 1837, were destroyed by fire in 1856 and subsequently replaced by the present stone and brick structures. The lighthouse served as an important navigational aid for cargo ships and pleasure craft until 1961 when it was removed from service and superseded by a modern light erected on the new lift bridge. The house, moved a short distance to its present site in the late 1890s, was continuously occupied until 1991 by five successive lightkeepers. The lighthouse and keeper's dwelling are the oldest surviving buildings on the Beach Strip and the only intact structures linked to Hamilton's mid-19th century port function.

- 2 -

Architecture

The lighthouse and keeper's dwelling together constitute one of few extant historic light stations in Ontario. Of the seven surviving lighthouses on the Canadian side of Lake Ontario, only Burlington Canal retains its original lightkeeper's residence. Moreover, relatively few Canadian lighthouses were constructed of stone, most of which predate Confederation. Of eight known examples erected on Lake Ontario, the Burlington Canal lighthouse is now one of only four remaining.

Constructed of squared white limestone blocks laid in regular courses, the lighthouse features slit windows with cut stone sills, a round-arched doorway and a 12-sided iron-framed lantern (dating from 1891 when the original one was replaced). It was erected by the renowned Scottish mason from Thorold, John Brown, the builder of six similar lighthouses on Lake Huron and Georgian Bay, known as "Imperial Towers" and all still standing.

The brick keeper's dwelling, a 1 1/2 storey, side-gabled structure with a three-bay facade and parapet end walls, is similar in form to the stone dwellings built in conjunction with the six Imperial Towers, some of which also have raised parapet walls with built-in end chimneys. A distinctive feature of the Burlington Canal lightkeeper's house is the corbel detail of the raised parapets, which is characteristic of Hamilton's 19th century worker housing. The large window openings are accentuated by cut stone sills and lintels. Minor alterations over the years include the replacement of the original six-paned window sashes with single-paned sashes; replacement of the front door; and the rebuilding of the raised parapets with narrower end chimneys and corresponding loss of decorative brickwork beneath the parapet coping. The front doorway, with its rectangular transom, is now obscured by an enclosed front porch, built in 1945 to replace a full verandah added after 1900.

The stone tower has been preserved virtually intact while the lightkeeper's dwelling has largely retained its original character, despite the changes identified above.

Designated Features

Important to the preservation of the Burlington Canal lighthouse complex are:

1. the stone masonry tower and iron lantern, including the round-arched doorway and tall narrow windows.
2. all four brick masonry facades of the keeper's dwelling, including the parapet end walls, original door and window openings, and stone trim. Excluded are all later additions, including the front porch, and a rear shed and dormer.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. (a) That the City of Hamilton petition the Federal Government to amend the Hamilton Harbour Commissioners Act 1912, as follows:
 - (i) Returning legal title to West Harbour Piers 1, 2, 5, 6, and 7 and the water lot adjacent to Pier 4, and those recreational lands in the vicinity of Burlington Canal to the City of Hamilton.
 - (ii) Allowing the Harbour Commissioners the mandate as a CPA to manage Hamilton Harbour, recognizing Provincial interests in land use regulation.
 - (iii) Acknowledging Pier 8 as a transition area, between shipping and navigation (industrial) and recreational uses.
 - (iv) Increasing City representation on the Hamilton Harbour Commission.
 - (b) That the City of Hamilton and the Federal Government enter an agreement for the beautification of the entrance to the City of Hamilton from the Burlington Skyway Bridge at Eastport/Windemere Basin, to be administered by the Hamilton Harbour Commissioners, the funding of which is to be provided from within the allocation for "Capital Improvements and Major Maintenance" in the 5 Year Capital Budget of the Harbour Commission. (\$3,848,000. in 1996 and \$13,658,000. over the 5 Year Projection); and,
 - (c) That prior to advancing the City's position to the Federal Government, discussions should take place with the Harbour Commissioners and the local MP's to clarify and present if possible, a unified approach.
2. That a Task Force be struck consisting of Mayor Robert M. Morrow, Alderman B. Morelli, the Chairmen of the four Standing Committees and J. Pavelka, Chief Administrative Officer for the purpose of reviewing Corporate reorganization and reporting back with recommendations to the Finance and Administration Committee.

3. That on the condition that the Constituent Assembly first provides the service and representation assumptions being given to their newly hired consultants (KPMG), which will form the basis for the cost analysis, that the Chief Administrative Officer and the City Treasurer provide the requested financial information and authorize the City Treasurer to be interviewed.
4.
 - (a) That the City of Hamilton confirm it claims no interest in a parcel of land known as 1373 Barton Street East, Hamilton (pursuant to development promises made by the 1957 owners to the City) by quit claiming this land to the current owner; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
5. That the listing of Appointments to Permanent Positions with the Corporation of the City of Hamilton to 1996 January 26, attached herewith and marked Appendix A", be approved.
6. That the Food Services Co-Ordinator be classified as Salary Level "L" within the Non-Union Salary Schedule.
7. That a purchase order be issued to Carrier Truck Centre, Brantford, in the amount of \$133,778.96 including trade-in and all applicable taxes, for the replacement of two (2) Dump Trucks Units No.9209 and 9238 for Fleet Services, being the lowest of five tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
8. That a purchase order be issued to Hamilton Truck Service, Hamilton, in the amount of \$424,570.80 including all applicable taxes, for the replacement of three (3) Sanders with front plow and wing, Units No. 9548, 9662 and 9663 for Fleet Services, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

9. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

180 Emerald St. N.	10 Delaware Ave.
230 James St. N.	51 Mulberry St.
20 Beland Ave. S.	27 William St.

- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

10. (a) That authorization be given to the Property Department to permit Bassai Engineering Limited of Burlington, Ontario and the Faculty of Engineering Science at McMaster University to utilize Rosedale Arena as a subject test project enabling engineering students from McMaster University to complete the theoretical and practical work for their fourth year thesis, consisting of installing infrared sensors to automatically control and monitor the ice plant compressor operation thereby possibly providing economical and environmental benefits; and,

- (b) That the authorization referenced in sub-section (a) above be subject to an Agreement satisfactory to the City Solicitor being made between Bassai Engineering Limited and the City of Hamilton and signed Releases being obtained from the three Engineering students participating in the test project, and that the Agreement specify insurance requirements, indemnification of the City, and the maximum duration of the test project; and, **AMENDED.**

- (c) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City. **ADDED.**

11. (a) That authorization be given to establish a purchase order with Honeywell Limited of Hamilton for 1996 and 1997 in the amount of \$352,248.28 per year inclusive of GST (\$23,044.28) for maintenance services (Parts & Labour) of the building automation and control systems within various City buildings, this being the only quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C14-4-95; and,

- (b) That the Mayor and City Clerk be authorized to execute a formal Agreement, prepared by the City Solicitor, between the City and Honeywell Limited; and,
 - (c) That the Agreement specify an option for the City to extend the term of the Agreement for two additional periods of three years each, to be brought back to City Council for approval at the appropriate time.
- 12.
- (a) That the Council of the Corporation of the City of Hamilton deems the Hamilton Music Scene '96 Festival to be held in Hamilton in conjunction with the Juno Awards on Saturday, 1996 March 9th to be an event of municipal significance; and,
 - (b) That the Liquor Licence Board of Ontario be advised, that in order for as many performers as possible to be showcased during this Festival, that City Council has no objection to the following list of licensed venues being allowed to operate for extended hours until 2:00 o'clock a.m.:
 - (i) Amigos Hot House - 115 George Street
 - (ii) Babes - 264 Dundurn Street South
 - (iii) La Luna - 228 King Street West
 - (iv) Ivory's - Hess Street
 - (v) Gown & Gavel - 24 Hess Street
 - (vi) Ragin Cajun - 13 Hess Street
 - (vii) Corktown/Chuggies - 175 Young Street
 - (viii) Arnold Centre - Fennell Campus
 - (ix) X Club - John Street
 - (x) Fever - 35 King East
 - (xi) Grapes & Things - 103 King Street East
 - (xii) Lazy Flamingo - 19 Hess Street South
 - (xiii) Connections, Sheraton Hotel - 116 King Street West
 - (ix) The John, McMaster University - Main Street East
 - (xv) Willy Woggs - Upper James Street
 - (xvi) Odeon, Old Odeon Theatre - King Street
 - (c) That the Liquor Licence Board of Ontario be further advised that City Council has no objection to an extension of hours until 2:00 o'clock a.m. on Sunday, 1996 March 10th at Connections, The Sheraton Hotel for the Hamilton Music Scene '96 Post Juno Awards Reception.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-7 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-8 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 February 6**

Appendix "A" referred
to in Section 5 of the
SECOND Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Angie Baldassero	I	Print Mail Clerk III (7C)	City Clerk's	Returning to former position Jan. 01/96	\$25,434.24 to \$27,567.28	Jan. 01/96
Ms. Crystabelle Fobler	I	Cemetery Administrative Co-ordinator (O)	Public Works/Traffic	Replacing Ms. K. Morden - lateral move Dec. 11/95	\$34,001.76 to \$39,962.52	Jan. 01/96
Mr. Glen Peace	I	Platoon Chief (C12)	Fire	Replacing Mr. J. Cardwell - promoted Dec. 31/95	\$72,764.50	Dec. 31/95

Prepared January 26, 1996

Status	
Internal - I	
External - E	

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1. (a) That on Friday, 1996 February 23 due to the planned demonstration parade and the substantial crowds anticipated (50,000), the downtown core be a specially designated area within which the City of Hamilton will provide at least essential services; and,
- (b) That beyond the specially designated area of the downtown core the City of Hamilton's objective is to maintain its normal services to the community, and recognizing that City employees will be given the option to be off work, up to those employees needed to provide essential services; and,
- (c) That these levels of service be advertised extensively to the public prior to Friday, 1996 February 23 by the City Clerk; and,
- (d) That requests for time off on Friday, 1996 February 23, be considered by the respective Department Head up to and including Friday, 1996 February 16; and,
- (e) That any absences after Friday, 1996 February 16 will be considered to be "Absence Without Permission - Non-Paid". No absences after Friday, 1996 February 16 will be approved using vacation, floating holidays, lieu time and/or Union Business or similar type of absence; and,
- (f) That any employee who calls in "sick" on Friday, 1996 February 23 will be required to provide a Doctor's Note from his/her physician to verify the illness in order to be paid for that date. Failure to provide that note will result in the employee being deemed "Absent Without Permission - Non-Paid" and subject to the appropriate level of discipline; and,
- (g) That any employee who requests an absence for a scheduled Doctor's Appointment will be required to submit proof of that appointment. Failure to provide that note will result in the employee being deemed "Absence Without Permission - Non-Paid", and subject to the appropriate level of discipline; and,

- (h) That any employee who is scheduled to work on Friday, 1996 February 23, and does not do so, will result in the employee being deemed "Absent Without Permission - Non-Paid" and subject to the appropriate level of discipline.
2. That the Hamilton-Wentworth Regional Police be granted permission to use the City Hall facilities on Friday, 1996 February 23rd and Saturday, 1996 February 24th for supply and support police services in conjunction with the Days of Protest.

Recorded vote

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Jackson, Anderson, D'Amico, Ross.-14.

NAYS: Aldermen Charters, Merling. -2.

CARRIED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 February 12**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its SECOND Report for 1996 and respectfully recommends:

1. That the following Members of City Council be appointed to serve on the Committee of Adjustment for a term to expire 1996 December 31.

Alderman B. Charters
Alderman H. Merling

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1996 February 13

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1996

1996 February 27

Minutes of Hamilton City Council
Tuesday, 1996 February 27
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

MAR 4 1996

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

The Reverend Hugh Reid, Ryerson United Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 February 13 were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Appreciation to the following:

- (a) Ernest Kennish for a park bench donation
- (b) John Norris for a park sign donation
- (c) Paul and Christine Pielechatys for a site landscaping donation

Mayor R. M. Morrow presented a Certificate of Recognition to Sharon Dale Charters - Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Housing Company Limited.

CORRESPONDENCE

1. Application dated 1996 February 13 from Edward Lorne Richter, Ronald Garry Richter, Lowell Elliott Richter for a modification to the "JJ" (Restricted Light Industrial) District for 244 Lake Avenue North, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Merling in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - THIRD REPORT

Section 1 Re: 2001 Canada Summer Games Bid Committee

Alderman T. Anderson declared a personal interest in, took no part in the debate and refrained from voting on this matter. A member of Alderman Anderson's family is involved.

* * * * *

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Section 1 of the Third Report of the Parks and Recreation Committee for 1996 be amended by deleting Sub-Section (d) and replacing sub-sections (b) and (c) with the following in lieu thereof, and that Sub-Sections (e) and (f) be reidentified as Sub-Sections (d) and (e):

- (b) That Section 1, Sub-Section (a) of the Fifteenth Report of the Parks and Recreation Committee for 1995, adopted by City Council at its meeting held 1995 July 11 be rescinded and replaced as follows:

" That the 2001 Canada Summer Games Bid Committee be authorized to proceed with the preparation of a bid package for the City of Hamilton to host the Canada Games in 2001 at a cost not to exceed \$140,000. and that City of Hamilton funding totalling \$130,000. be provided from Account No. CH55201 77008 (\$42,000. - International Children's Games Surplus); Account No. 55201 78211 (\$25,000. - Culture and Recreation 1996 Current Budget); Account No. 55201 78211 (\$15,000. - Culture and Recreation 1997 Current Budget); and Account No. CF709355009 (\$48,000. - Hamilton Aquatic Centre Study); and,"

- (c) That funds in the amount of \$15,000. from Account No. 55201 78211 be utilized to offset the cost of the Hamilton Delegation participating in the 1996 International Children's Games in Sopron, Hungary; and,

Section 1 Re: 2001 Canada Summer Games Bid Committee

Recorded vote on amendment.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Copps, Merling. -3.

CARRIED.

* * * * *

Section 1 Re: 2001 Canada Summer Games Bid Committee

Recorded vote on Section 1 as amended.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Copps, Merling. -3.

CARRIED.

* * * * *

Section 7 Re: Public Art Programme - Sesquiscene

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch. -5.

NAYS: Aldermen Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters,
Jackson, Merling, Anderson, D'Amico, Ross. - 12. **LOST.**

* * * * *

Section 14 Re: Crystal Palace Project

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico,
Ross. -16

NAYS: Mayor Morrow. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - THIRD REPORT

Section 7 Re: APA National Planning Conference

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli,
Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling,
Anderson, D'Amico, Ross. -16

NAYS: Alderman Kiss. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FOURTH REPORT

Section 9 Re: Hamilton Corporate Challenge

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

* * * * *

Section 11 Re: Licence By-law 93-069, Schedule 4 - rear window advertising in taxicabs

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Kiss, Copps -2.

CARRIED.

Section 13 Re: Commonwealth Square - portable signs

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 13 of the Fourth Report of the Finance and Administration Committee be referred back. **CARRIED.**

* * * * *

Section 17 Re: Rule 9 - 1996 Provincial Federation of Ontario Firefighters Convention

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the placing of a greeting in the Program for the 1996 Provincial Federation of Ontario Firefighters Convention. **CARRIED.**

* * * * *

Section 17 Re: 1996 Provincial Federation of Ontario Firefighters Convention

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 17 of the Fourth Report for 1996 of the Finance and Administration Committee:

17. (a) That a half-page greeting from the City of Hamilton be placed in the 1996 Provincial Federation of Ontario Firefighters Convention Program to welcome delegates to this Convention which will be held 1996 June 2 - 6 in Hamilton, at a cost not to exceed \$350; and,
- (b) That funds for this expenditure be provided from Account No. CH56302-12001 (Advertising and Promotion). **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Copps. -1.

CARRIED.

RESOLUTION FROM PREVIOUS MEETING

(from February 13, 1996 meeting of City Council)

Section 12 Re: Juno Awards - municipal significance

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 12 of the Second Report for 1996 of the Finance and Administration Committee respecting extension of hours for the Hamilton Music Scene '96 Festival, which was approved by City Council at its meeting held Tuesday, 1996 February 13th be amended to delete sub-section (b)(xii) for the Lazy Flamingo, and insert in lieu thereof the following: "Little Nashville Saloon - 222 Cannon Street East". **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT

NOMINATING COMMITTEE - THIRD REPORT
(Elect Chairman of the Committee of the Whole)

COMMITTEE OF THE WHOLE - SECOND REPORT

User Fees, Dog Licence Fees,
1996 Revenue and Expenditures
Days of Protest
Canada/Ontario Infrastructure Program

Section 1 Re: Culture and Recreation Department User Fees

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Mayor Morrow. -1.

CARRIED.

* * * * *

Section 5 Re: 1996 Revenue and Expenditures

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan. -3.

CARRIED.

* * * * *

Re: Rule 9 - Days of Protest

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting costs incurred as a result of the 1996 Days of Protest.

CARRIED.

* * * * *

Section 6 Re: Days of Protest

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 6 of the Second Report of the Committee of the Whole for 1996:

6. That the City of Hamilton's direct costs of \$36,734.25 resulting from the February 23 and 24, 1996 Days of Protest rallies and parades be charged to the organizers of this event.

CARRIED.

* * * * *

Section 6 Re: Days of Protest

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 6 of the Second Report of the Committee of the Whole respecting the Days of Protest be amended by adding the following as sub-section (b):

"That this matter be referred to the City Solicitor for collection."

CARRIED.

* * * * *

Section 6 Re: Days of Protest

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 6 of the Second Report of the Committee of the Whole for 1996 as amended respecting the Days of Protest be referred to the Finance and Administration Committee.

CARRIED.

* * * * *

Rule 9 Re: Canada\Ontario Infrastructure Program

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a recommendation respecting the Canada/Ontario Infrastructure Program.

CARRIED.

* * * * *

Section 7 Re: Canada\Ontario Infrastructure Program

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 7 of the Second Report of the Committee of the Whole for 1996:

- (a) That the following projects be advanced and included as part of the new application to the Canada/Ontario Infrastructure Program, replacing the Co-Generation Project which was removed by Council January 9, 1996, and that the Treasurer be authorized to reduce the 1997 through 2002 Capital Forecasts by the amounts noted.

**CANADA/ONTARIO INFRASTRUCTURE WORKS
PROPOSED PROJECTS**

	<u>Project No.</u>	<u>Description</u>	<u>Advanced From</u>	<u>Gross Cost</u>	<u>Annual Operating Cost</u>
1)	24.2	Energy Management Project	1998	\$ 100,000	\$(20,000)
2)	24.3	Energy Management Project	1999	200,000	(40,000)
3)	24.4	Energy Management Project	2000	200,000	(40,000)
4)	16.0	City Hall - Replace Existing Chillers and Associated Equipment	1998	340,000	(30,000)
5)	83.0	Construction & Maintenance of City's Parking Lots and Pathways (Appendix "A")	Additional	100,000	0
6)	84.1	"	1997	50,000	0
7)	84.2	"	1998	50,000	0
8)	84.3	"	1999	50,000	0
9)	84.4	"	2000	50,000	0
10)	56.0	Renovate the Fire Station at Woodward and Melvin	2002	200,000	0
11)	New	Construction & Maintenance of City's			

		Parking Lots and Pathways (Appendix "B")	Additional	300,000	0
12)	New	Playstructure Redevelopment	Additional	<u>300,000</u>	0
				<u>\$1,940,000</u>	

- (b) That the City's cost of the financing arrangements as previously report to the Committee of the Whole on 1996 January 30 being the gross cost of \$6,064,500. less Federal/Provincial share of \$4,043,000. in the amount of \$2,021,500. now be financed by the issuance of debenture amounting to \$1,654,833. and \$366,667. from the Reserve for Debt Charges and correspondingly the debenture authorization of the Co-Generation project be reduced as follows:

<u>Description</u>	<u>Gross Cost</u>	<u>Federal/ Provincial Share</u>	<u>City's Share</u>	<u>Financing</u>		<u>Co-Generation Debenture Authority to be Reduced</u>
				<u>Debenture</u>	<u>Reserve for Debt Charge</u>	
1) Energy Management Project	\$ 500,000	\$ 333,333	\$ 166,667	\$	\$ 166,667	\$ 166,667
2) City Hall - Replace Existing Chillers and Associated Equipment	340,000	226,667	113,333	113,333		113,333
3) Construction & Maintenance of City's Parking Lots and pathways (Appendix "A")	300,000	200,000	100,000		100,000	100,000
4) Renovate the Fire Station at Woodward and Melvin	200,000	133,333	66,667	66,667		66,667
5) Construction & Maintenance of City's Parking Lots and Pathways (Appendix "B")	300,000	200,000	100,000		100,000	100,000
6) Playstructure Redevelopment	<u>300,000</u>	<u>200,000</u>	<u>100,000</u>	<u>100,000</u>		<u>100,000</u>
	\$1,940,000	\$1,293,333	\$ 646,667	\$ 280,000	\$366,667	\$ 646,667
7) Roadway & Sidewalk Reconstruction Program (Detailed project approved by Council 1996 January 30)	<u>\$4,124,500</u>	<u>\$2,749,667</u>	<u>\$1,374,833</u>	<u>\$1,374,833</u>		<u>\$1,374,833</u>
	<u>\$6,064,500</u>	<u>\$4,043,000</u>	<u>\$2,021,500</u>	<u>\$1,654,833</u>	<u>\$366,667</u>	<u>\$2,021,500</u>

- (c) That the City Solicitor be authorized to prepare the amendments to the appropriate by-law to reflect the revision of debenture authorization noted in (b) above.
- (d) That the Development of a Hamilton Fire Service Master Plan be endorsed and that staff report to Committee and Council, outlining the process.

CARRIED.

ACTING MAYOR FOR THE MONTH OF MARCH, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman D. Wilson be appointed as Acting Mayor for the month of March, 1996. **CARRIED.**

NOTICE OF MOTION FOR NEXT MEETING

Alderman V. J. Agro gave notice that he would move at the next regular meeting of City Council the following:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:50 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 February 27

JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1. (a) That the City of Hamilton continue its participation in the 1996/1997 International Children's Games to take place in Sopron, Hungary, in the summer of 1996 and in Sparta, Greece, 1997; and,
- (b) That Section 1 (c) of the Tenth Report of the Parks and Recreation Committee for 1995 adopted by City Council at its meeting held 1995 April 25 be rescinded; and,
- (c) That the remainder of the surplus funds, \$18,750. still outstanding from the Federal Government, Department of Canadian Heritage, be utilized to offset the cost of the Hamilton Delegation to participate in future International Children's Games; and,
- (d) That the balance of the surplus stay in an account to assist with the preparation of this City's bid for the Canada 2001 Summer Games; and,
- (e) That the Volunteer Committee attached hereto as Appendix "A" be approved to coordinate the participating team, travel plans, and assist in the fund-raising efforts to offset team costs; and,
- (f) That an annual evaluation and detailed financial statement be submitted to the Secretary of the Parks and Recreation Committee.

Recorded vote on amendment.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Copps, Merling. -3.

CARRIED.

Recorded vote as amended.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Copps, Merling. -3.

CARRIED.

2. That the park located at No. 95 Carson Drive in Lisgar Neighbourhood be officially named Lisgar Park.
3. That the City Treasurer be directed to close the following Capital Project Accounts with any excess funding to be transferred to the original source of funding:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To-Date	Balance Available	Source of Funding
629549023	Carp Barrier/ Fishway - Landscape Planting	\$75,000.	\$70,533.09	\$ 4,466.91	Federal Department of Fisheries and Oceans

4. That the Mayor and Clerk be authorized to sign an agreement which extends the Joint Management Agreement between the City of Hamilton and the Hamilton Region Conservation Authority for the remediation of the Red Hill Creek Valley for a term of 1 year to 1997 March 31.
5. (a) That the Commissioner of Public Works and Traffic be authorized to sell surplus flagstone salvaged; and,
 - (b) That the revenue from the sale of this flagstone be credited to Account No. CH57200 62128 (Gore Park Maintenance).
6. That blanket purchase orders be issued, for the supply of food stuffs for City Concession operations within the Culture and Recreation Department during 1996 and 1997 to the following vendors, and be financed through various concession operation accounts:
 - (a) To Harpers Wholesale, Hamilton, Ontario, not to exceed \$70,000. per year, including all taxes; and,

- (b) To Serca Hickeson, Hamilton, Ontario, not to exceed \$70,000. per year, including all taxes.
- 7.
- (a) That approval be given to expend up to \$55,000. of the funds remaining in the Public Art Programme Capital Budget, Centre No. CF709441025, to be used in 1996, for a series of four historically-themed "Sesquiscene" murals at downtown locations (GST inclusive); and,
 - (b) That final approval for the four designs chosen by the Selection Committee rest with Council; and,
 - (c) That the Mayor and Clerk be authorized to execute contracts satisfactory in form and substance to the City Solicitor between the City and the affected property owners and between the City and the four winning artists.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch. -5.

NAYS: Aldermen Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 12. **LOST.**

8. That the following Deposit Policy be adopted for Culture and Recreation Special Events and long term rental contracts within City owned and operated facilities:
- (a) That, upon execution of an agreement to use a City owned and operated facility the applicant may be required, at the discretion of the Director of Culture and Recreation, to deposit in cash, or by certified cheque an amount equal to not less than 25% of the total rental fee (including building, floor and staff charges); and,
 - (b) That, upon cancellation not less than 60 days prior to the event, the City agree to return all funds remitted as a deposit as per this Recommendation; and,
 - (c) That, payment in full be required to be remitted by the applicant not less than 4 weeks prior to said event taking place, failing which, said event will be deemed to have been cancelled and the deposit and time reserved forfeited to the City; and,

- (d) That, in the event, for any reason, the Department of Culture and Recreation of the Corporation of the City of Hamilton, is unwilling to permit the use of the said facility/arena, the Department of Culture and Recreation of the Corporation of the City of Hamilton, shall have the right to cancel such use at any time and order the arena to be closed to all spectators and users and/or such an event, and neither the Department of Culture and Recreation nor the Corporation of the City of Hamilton shall be required to do more than refund the applicant any fee which the applicant has paid; and,
 - (e) That, in the event it is necessary, or given that there is insufficient time, approval be granted to the Director of Culture and Recreation to waive the necessary time requirements and report said actions to the Parks and Recreation Committee wherever possible prior to said event occurring; and,
 - (f) That, as set out above, in the event a special event is booked within the specified time frame, said event be subject to payment in full upon execution of an agreement to lease, and, in the event of cancellation all monies will be forfeited to the City; and,
 - (g) That, this Policy not include those groups allocated ice through the Culture and Recreation Department.
9. That the Planting and Plantation Management Proposal for Red Hill Creek Valley dated 1995 November 10, attached hereto as Appendix "B" be approved for implementation.
10. (a) That the development of an interconnecting multi-use pathway extending from the Mount Albion parking area to Mud Street be endorsed such that the proposed pathway component may proceed to an open house meeting to receive public input to finalize the plans; and,
- (b) That staff be authorized to proceed with an application to the Waterfront Regeneration Trust to secure Provincial funding for the pathway construction; and,
- (c) That staff be authorized to submit applications to the various agencies which have jurisdiction over the proposed pathway alignment; and,
- (d) That staff be authorized and directed to negotiate the terms and conditions of easements to construct portions of the pathway on Hamilton Board of Education and Ontario Hydro lands; and,

- (e) That staff from the Law Department and Property Department assist in preparation of the necessary agreements between the City and affected land owners; and,
 - (f) That staff report back to the Parks and Recreation Committee on the above items.
11. (a) That for the purpose of having a point of reference from which existing guidelines and procedures may be measured or amended, the following Mission Statement be adopted for the Hamilton Beautification Awards Program:
- "To promote and encourage community pride through the recognition of excellence in landscape design, maintenance and effort by land owners to beautify their property and hence make a positive contribution to the City"; and,
- (b) That the procedure and stakeholder responsibilities as outlined in Appendix "C" attached here to dated January 1996 be adopted; and,
 - (c) That staff be authorized to finalize arrangements for presentation of awards, exclusive of the White Trillium, at the September meeting of City Council.
 - (d) That the Commissioner of Public Works and Traffic be directed to notify all 1995 Trillium Award winners in writing of the changes to the Hamilton Beautification Awards Program procedures.
12. (a) That the City of Burlington be authorized to manage and administer the funds received from the subscribing companies of property insurance for the restoration of the LaSalle Park Pavilion subject to Burlington providing the City of Hamilton with an Engineering Certificate verifying that each segment of construction has been completed satisfactorily prior to the insurance draws being advanced to Burlington; and,
- (b) That the City of Hamilton, as Landlord of LaSalle Park, grant conditional approval to the City of Burlington, as Tenant, to permit the following "major capital improvements" to the Pavilion which are to occur contemporaneously with the fire reconstruction: dance hall on second level, food service operation on main level, amenity betterments and various landscape improvements to

compliment the refurbished Pavilion, in the amount of \$655,000. subject to the City of Burlington:

- (i) agreeing that Hamilton shall not be obligated to pay any undepreciated capital improvement costs of the major capital improvements proposed, in the event the lease is terminated after 40 years without renewal or ends after any renewal period, or in the event the lease is terminated, cancelled or ends, as recited in Paragraph 24 of the Lease; and,
 - (ii) executing an agreement to amend the existing Lease and subsequent amending agreement incorporating these approvals and conditions including:
 - (aa) amending the Tenant's use covenants to incorporate the greater variety of uses contemplated by the additional capital works; and,
 - (bb) amending the insurance coverage covenants to reflect the City of Hamilton insurance requirements in respect of like uses; and,
 - (iii) providing the detailed plans and drawings of the restoration of the Pavilion; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute an agreement to amend the Lease of LaSalle Park incorporating these approvals and conditions.
13. That authority be given to the City Solicitor, the Director of Property and Director of Culture and Recreation to meet with parties interested in assuming operational responsibilities for Barton and Normanhurst Community Centres.
14. (a) That Commonwealth Square is not an appropriate location for the Crystal Palace Project in conjunction with the Art Gallery, predominantly because of the Art Gallery's option to expand on Commonwealth Square; and,
- (b) That the New Crystal Palace Sub-Committee pursue other locations for the home of the Crystal Palace including but not limited to:
- the West Hamilton Harbourfront Precinct
 - the Hamilton Downtown Core such as west side of City Hall plaza or the north east corner of King Street and James Street
 - Gage Park

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 16

NAYS: Mayor Morrow. -1.

CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 February 20

Appendix "A" as referred to
in Section 1 of the Third Report
of the Parks and Recreation
Committee for 1996

1996/97 INTERNATIONAL CHILDREN'S GAMES DELEGATION COMMITTEE

CHAIRPERSON:	JOHN KIRIAKOPOULOS
VICE-CHAIRPERSON:	EDWARD C. DUNN
SECRETARY:	JOANNE McBRIDE
TREASURER:	PHIL SARESKY
MEMBER:	JOEL HALL
NON VOTING:	BILL McCAUGHEY
NON VOTING:	BILL URIE
NON VOTING:	LESLIE BARDOSSY
NON VOTING:	GREG MAYCHAK

HAMILTON REGION CONSERVATION AUTHORITY

Red Hill Creek Remediation Planting and Plantation Management Proposal

BACKGROUND

Proposed areas for planting as well as plantations recommended for management are shown on the display map available at the August 23 meeting. There are 10 planting areas totalling about 4.6 hectares, and 7 plantations totalling about 7.5 hectares.

Planting sites were selected based on ecological and practical criteria outlined in a previous memorandum to the Red Hill Environmental Projects Advisory Committee. In general, high priority sites were large, adjacent to existing natural areas, had little natural regeneration going on, had the potential to harbour rare species and would help separate uses of the valley such as golfing and hiking. Lower priority sites were separated from existing natural areas and were smaller but had other problems (e.g. erosion).

All pine and spruce plantations were assessed by staff and mapped. Consultation with the Ontario Ministry of Natural Resources, Niagara Escarpment Commission, Red Hill biological inventory crew and Red Hill archaeological survey staff has taken place. MNR forestry staff have provided helpful advice on recommended silvicultural practices and have shown staff some of the managed plantations that are similar to those in the Red Hill Valley.

SUGGESTED APPROACHES TO MANAGEMENT

a) Planting Sites

1. Tree and shrub species to be planted will match the surrounding existing forest. There will be 6 - 8 species per site with a random or clumped type of planting but based on an overall average of tree spacing at 2.5 x 2.5 metres; with shrubs interspersed but at about 10% of the tree density. At some sites with suitable conditions, about 5% of trees and shrubs will be Carolinian species which are native to the area. The planting sizes and pattern should produce some immediate effect as well as result in long-term naturalization.

Trees include Red Oak, Bur Oak, Chinquapin Oak*, White Oak, Green Ash, White Ash, Red Maple, Sugar Maple, Serviceberry, Black Walnut, Basswood, Black Cherry, White Pine, Staghorn Sumac, Sassafras*, Tulip Tree*, Flowering Dogwood*, Sweet Chestnut*, Red Mulberry*, Witch-hazel*, Wild Crab*.

Shrubs include Nannyberry, Grey Dogwood, Alternate-leaf Dogwood, Ninebark, Spicebush*, American Elder, Chokecherry, Purple-flowering Raspberry.

(Note: * indicates a Carolinian species.)

Planting costs include supplying the trees and shrubs, planting, mulching, protection with a plastic spiral tree guard and watering. An additional watering during summer in case of drought is included in the contingency.

2. Sites #5 and 6 are adjacent to the golf course and parallel to the proposed trail. To more effectively screen these two uses, staff suggest that 75 existing trees be moved by tree spade from one site to the other along the edge of the golf course in the rough. This will not lessen the screen effect at the one site which has substantially more trees and will add to the more open site.
3. Site #3 has several large piles of compost and soil. Staff suggest that this material be spread evenly over the site and some be taken and spread at an area of very poor soil in Site #4 approximately 300 metres south. Planting will follow.
4. Staff suggest a small Carolinian arboretum along the proposed trail to the north of the escarpment forests (Sites 5 and 6). This arboretum could be created by planting small clumps of large caliper trees including Tulip Tree, Kentucky Coffee Tree, Blue Ash, Honey Locust, Big Shellbark Hickory, Mockernut Hickory, Pignut Hickory, Sassafras, Flowering Dogwood, Tulip Tree and Sweet Chestnut as available.

b) Plantation Management

As recommended at the last Advisory Committee meeting, staff will have the plantations marked by a Registered Professional Forester (RPF) with a management approach of a thinning to 23 square metres per hectare basal area using patch cuts whose diameters are one-half the average tree height. The marked trees will then be advertised for sale and bids sought based on a terms of reference developed by staff. MNR has provided staff with a list of sawmills in the Golden Horseshoe area.

If a suitable bid is received, a contract will be let for January or February and a City staff person will supervise while cutting is going on to ensure that only marked trees are cut. If no suitable bid is received, staff will advertise the same tree cutting as a cutting contract and will solicit bids for the work. City of Hamilton, Horticulture Section has estimated this work using their crews at \$30,000. This estimate is included in the contingency below.

Staff recommend that plantations F and G not be managed at this time since Cooper's Hawk (a provincially significant species) nested in F this spring. The Ontario Ministry of Natural Resources recommends no cutting close to the nest site (i.e. plantations F and G).

PRIORITIES

Staff have suggested a priority listing for planting and plantation management in case funding from the Province of Ontario is reduced. Staff recommend first that both planting and plantation management have a lower priority than trail development and some additional cleanup. The rationale is that without planting, open areas will eventually grow up to forest, although this will take much longer, and that plantations at least provide existing forest cover even though of a non-natural or non-native sort. Trails and cleanup will not be done without funding.

The rationale for the order for planting and plantation management is based on these reasons:

- a) Higher priority is given to planting trees and shrubs rather than plantation management since plantations are at least treed while open areas in to be planted are not. Plantations within the Valley proper are given higher priority than plantations outside the Valley proper.
- b) Planting areas are given higher priority if when planted they fulfil ecological conditions such as making forest blocks larger or providing wildlife corridors. Isolated planting areas are given lower priority.
- c) Planting areas that provide buffers to screen possibly conflicting uses are given a higher priority than isolated planting areas that do not fulfil this condition.

Priority list suggested:

1. Planting site #2
2. Planting site #1
3. Planting site #9
4. Planting site #10
5. Moving compost piles (Sites #3 and 4)
6. Planting site #3
7. Planting site #4
8. Tree spade work at sites #5 and 6
9. Carolinian planting at Sites #5 and 6
10. Planting site #7
11. Planting site #8

- 12. Plantations D and E
- 13. Plantations A, B and C

COSTS

i) Planting

Costs have been estimated by the City of Hamilton, Horticulture Section based on the following:

Site #1 planting (2045 trees, 800 shrubs, 80 large caliper trees)	\$88,764
Site #2 planting (5670 trees, 200 shrubs, 12 large caliper trees)	122,166
Site #3 planting (726 trees)	14,520
Site #4 planting (904 trees)	18,080
Site #5 and 6 (100 Carolinian trees)	40,000
Site #7 (148 trees)	2,960
Site #8 (442 trees)	8,840
Site #9 (282 trees, 10 large caliper trees)	9,740
Site #10 (178 trees, 10 large caliper trees)	7,660
Compost spreading through sites 3 and 4	7,380
Tree spade work at Sites 5 and 6 (Note that \$3,000 additional cost in case of sand or gravel is included in contingency)	3,000
Subtotal for planting	\$323,110
Contingency (10% for extra watering of planted stock and extra cost for tree spade work)	32,311

ii) Plantation Management

Marking by RPF	\$2,000
Advertisement	300
Supervision of cutting (40 hours x \$37 per hour)	1,480
Subtotal for plantations	\$3,780
Contingency (if cutting must be contracted)	30,000
TOTAL	\$389,201

Appendix "C" as referred to in
Section 11 of the Third Report
of the Parks and Recreation
Committee for 1996

Procedure and Stakeholder Responsibilities for the Hamilton Beautification Awards Program

The following procedures for recognition of award winning properties is based on the principle of shared ownership of the various award categories by the City of Hamilton, its Corporate Partners and Citizen Volunteers. The program will be named the Hamilton Beautification Awards Program and will be symbolized by a trillium in its various natural colours.

Procedure for White Trillium/Staff-Volunteer Responsibilities

- City to be divided into zones of more or less equal size and number 118 changes in zone boundaries or consolidation of zones may be considered by the Beautification Volunteer Committee as circumstances dictate.
- number of judges assigned to each zone not to exceed 2; judges not permitted to reside in the zone being judged and same zone not to be assigned in consecutive years.
- judges to use the score card designed for the program and personally issue white trilliums themselves. The number of trilliums per zone will be restricted to 2 and judging to be completed during July.
- judges to submit packages to City Hall as soon as field work is complete and no later than August 1. Package to include completed score cards for all properties considered, names and addresses of 2 properties awarded white trilliums and recommendation on which of the 2 winning properties to be considered for a pink trillium.
- returned packages to be sorted by City staff and list of addresses recommended for consideration of a Pink Trillium turned over to a new team of judges.
- decision of the judges is final with questions/concerns referred to a volunteer committee for follow-up.

- 2 -

Procedure for Pink Trillium/Staff-Volunteer Responsibilities

- properties eligible for pink trilliums to be grouped into 8 large zones having boundaries corresponding more or less to existing ward boundaries.
- number of judges assigned to each zone is 3; guidelines regarding place of residence and year to year involvement same as white trillium.
- judges will have access to score card and notes for candidate properties as prepared in the field by nominating judges. The number of Pink Trilliums awarded in each of the 8 zones is limited to 1.
- judging to be completed by August 15 and packages returned to the City by this date. Trilliums are not awarded by judges, only the address and name of awarding winning property is included in the returned package.

Procedure for Red Trillium (New Category)/Staff-Volunteer Responsibilities

- A select panel of 5 judges are provided information on the 8 properties awarded pink trilliums. These are judged over the last 2 weeks of August and from this list one property is selected to receive the special "Award of Excellence".
- The Beautification Volunteer Committee to select panel members.

Commercial Utility Award

- judges involved in the selection of white trillium awards to nominate commercial/utility properties within each of their assigned zones and submit candidate sites for consideration by a team of judges formed to deal specifically with this category. Judging to be complete by August 30 with only one property selected from all nominated sites.

Corporate Partners Responsibilities

- Financial support for the purchase of awards in all categories. This amount is set at \$1,000 annually from each partner and may not be adjusted without unanimous consent of all participating agencies. Any surplus to be carried over to the next fiscal year. For 1996, participating sponsors include: The Spectator, Union Gas, Dofasco, Metropolitan Hamilton Real Estate Board, Landscape Ontario.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1996 and respectfully recommends:

1. A. That approval be given to City Initiative 94-H, for changes and modifications to Zoning By-law No. 6593, for lands within the City of Hamilton that are proposed to be removed from the Development Control regulations under the Niagara Escarpment Planning and Development Act, as shown on the attached maps marked as APPENDICES "A" to "H", on the following basis:
 - (a) That Blocks "1", "2" and "3", as shown on the attached maps marked as APPENDICES "A" and "B", be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Agriculture) District;
 - (b) That the "A" (Conservation, Open Space, Park and Recreation, etc.) District provisions, as contained in Section 7 of Zoning By-law No. 6593, applicable to Blocks 4, 5, and 6, as shown on the attached maps marked as APPENDICES "C", "D", and "E", be modified to include the following variances as special requirements:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height; and
 - (ii) notwithstanding Section 7.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.
 - (c) That the "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to Blocks "7" and "8", as shown on the attached maps marked as APPENDICES "F" and "G", be modified to include the following variances as special requirements:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height; and

- (ii) notwithstanding Section 7A.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.
- (d) That the "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block "9", as shown on the attached map marked as APPENDIX "H", be modified to include the following variances as special requirements:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height; and
 - (ii) notwithstanding Section 8.(3) of By-law No. 6593, no building or structure shall be closer than 30 m (100 feet) from the top of the Escarpment.
- (e) That the "B-1" (Suburban Agriculture and Residential, etc) provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to Block "10", as shown on the attached map marked as APPENDIX "H", be modified to include the following variance as a special requirement:
 - (i) notwithstanding Section 3.(4) of By-law No. 6593, no building shall exceed two and a half storeys in height, and no structure shall exceed 11 m (36.09 feet) in height.
- (f) That the "B-2" (Suburban Residential, etc.) District provisions, as contained in Section 8B of Zoning By-law No. 6593, applicable to Block "2", as shown on the attached map marked as APPENDIX "A", be modified to include the following variance as a special requirement:
 - (i) notwithstanding Section 8B.(4) of By-law No. 6593, the minimum lot area shall not be less than 491 m².
- (g) That the "B-2" (Suburban Residential, etc.) District provisions, as contained in Section 8B of Zoning By-law No. 6593, applicable to Blocks "1" and "3", as shown on the attached maps marked as APPENDICES "A" and "B", be modified to include the following variance as a special requirement:

- (i) for the purposes of this by-law, the rear lot line shall be defined as the "toe-of-slope".
 - (h) That the amending By-law be added to Section 19B of Zoning by-law No. 6593 as Section S-1353, and the subject lands on Zoning District Maps No. E-66, E-67, E-15, E-35, E-46, E-69, E-69a, E-69b, E-79a, E-79b, W-36, W-6, W-7 and W-15 be notated S-1353;
 - (i) That the Director of Planning and Development be directed to prepare a By-law to amend Zoning By-law No. 6593 in a form satisfactory to the City Solicitor, and Zoning District Maps No. E-66, E-67, E-15, E-35, E-46, E-69, E-69a, E-69b, E-79a, E-79b, W-36, W-6, W-7 and W-15 for presentation to City Council; and,
 - (j) That the proposed changes and modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
 - B. That the City Clerk be requested to advise the Niagara Escarpment Commission that the City of Hamilton has no objection to placing the lands of the Red Hill Creek Valley between Greenhill Avenue and the CP Railway track, as shown on the attached map marked as APPENDIX "I", under "Development Control".
2. That approval be given to City Initiative 96-B respecting the elimination of required parking to encourage the conversion of non-residential floor space to residential uses within the CBD, on the following basis:
- That Section Nineteen - Residential Conversion Requirements of Zoning By-law No. 6593 be amended by adding a new Section 19.(4) as follows:
- 19.(4) Notwithstanding any other provisions of this By-law, any building or portion thereof existing on the date of the passing of this by-law, located within Area "A" shown on Schedule "I" of Section 18A, may be converted to a residential use except for a Residential Care Facility or Short-Term Care Facility, provided that the ground floor is maintained for commercial use.
3. (a) That approval be given to Application SE-95-001 under the Rental Housing Protection Act, Mary Jazvac, owner, to sever the land, which contains a two-family dwelling and a twelve (12) unit apartment building into separate parcels, for the property located at 297-301 Mary Street, subject to the following conditions:

That the owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.

- (b) That upon satisfaction of the above noted condition, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
4. That Zoning Application ZAC-95-32, Peter Hatzoglou, Peter and John Zourntos, Aiden Tuite and Philip Mancini, owners, requesting an Official Plan amendment to delete Special Policy Area 46, and a change in zoning from "G-4" (Designed Neighbourhood Shopping Centre) District modified, to "HH" (Restricted Community Shopping and Commercial) District, in an established commercial plaza, for property located at 30 Rymal Road East, as shown on the attached map marked as APPENDIX "J", be **DENIED** for the following reasons:
- (a) It conflicts with the intent of the Official Plan and the approved Allison Neighbourhood Plan;
 - (b) It conflicts with intent of By-law No. 89-246 which rezoned the subject lands to "G-4" (Designed Neighbourhood Shopping Centre) District, modified which specifically limits the commercial uses to those only of a neighbourhood nature and prohibits high traffic generators;
 - (c) It conflicts with established Council policy not to support high traffic generating type uses on this site, and the applicant has not submitted any additional or new information to justify changes to the established policy; and,
 - (d) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan and zoning by-law.
5. (a) That with respect to Zoning Application ZAC-93-17, Latco (1986) Developments Limited, owner, for property located at 85 Robinson Street (Ontario Municipal Board File Nos. C940123, C940124, Z940041), City Council direct the City Clerk:
- (i) to forward the executed Minutes of Settlement, hereto as APPENDIX "K" dated 1996 January 19 signed by the Durand Neighbourhood Association, Latco (1986) Developments Limited and the Corporation of the City of Hamilton, to the Ontario Municipal Board; and,
 - (ii) to forward the implementing zoning by-law hereto as APPENDIX "L" to the Ontario Municipal Board;

- (b) That Council reserve the right to review and comment on the merits of any future severance application(s) on the subject lands and that the Ontario Municipal Board should be so advised by the City Clerk.
- 6. That approval be given to Site Plan Control Application DA-95-34, by White Chapel Memorial Gardens, owners of the lands at 1895 Main Street West as shown on the attached map marked as APPENDIX "M", for construction of additional columbarium niches, and that the owner not be required to enter into the Site Plan Control Agreement nor provide securities for the project, and that notice of the decision be published in accordance with the requirements of the Cemeteries Act.
- 7. (a) That the Chairperson of the Planning and Development Committee or his designate be authorized to attend the 1996 APA National Planning Conference, April 13-17, Orlando; and,
(b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1996 Operating Budget.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Kiss. -1.

CARRIED.

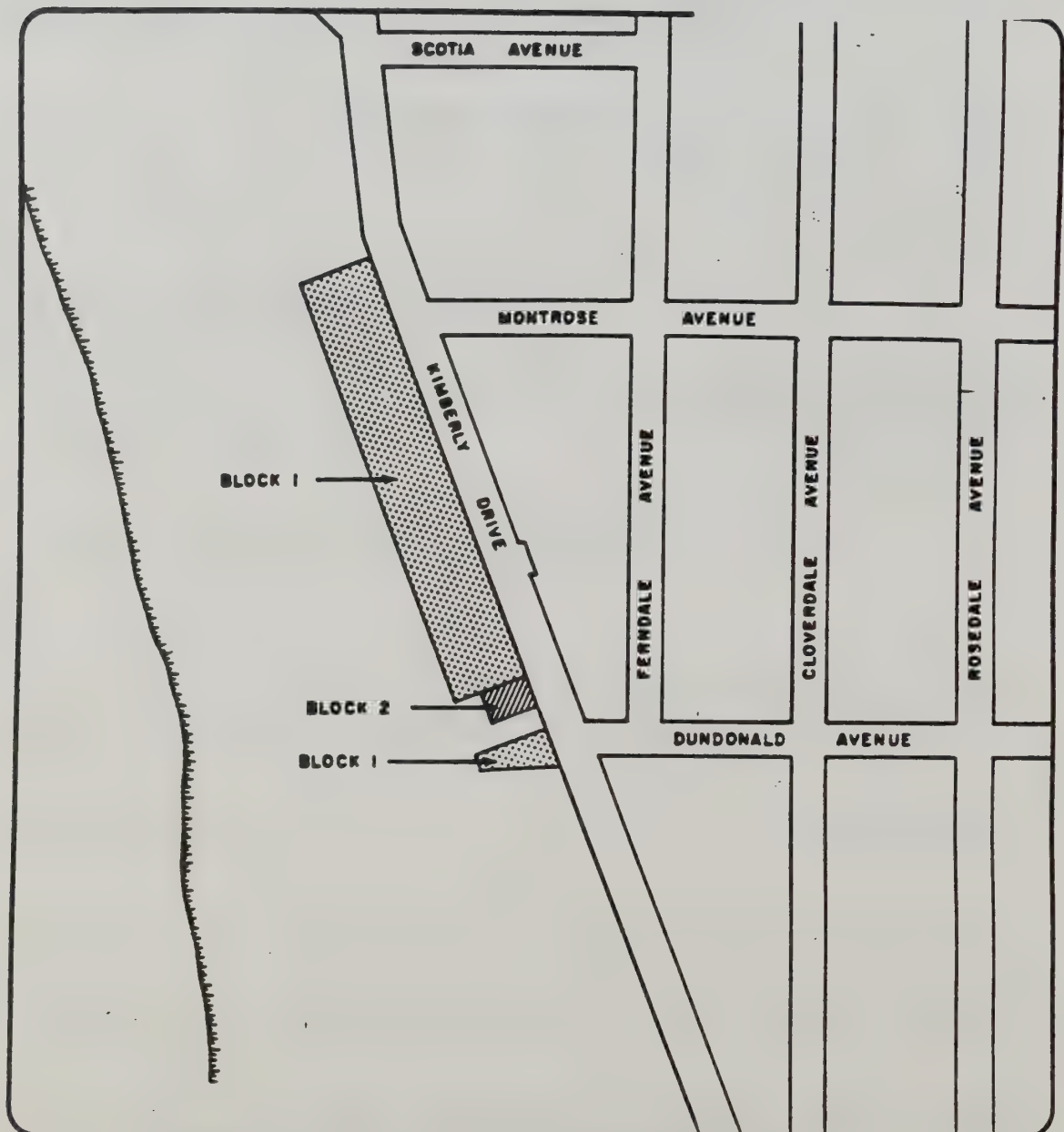
- 8. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-05 A By-law to amend Zoning By-Law No. 6593 Respecting Definition of "Sign, Public Notice".
 - (b) C-06 A By-law to amend Zoning By-Law No. 6593 Respecting Land Located at Municipal No. 371 Rymal Road East.

- (c) C-07 A By-law to amend Zoning By-Law No. 6593 as ammended by Zoning By-laws No. 86-201, 90-227 and 92-160 Respecting Land Located at Municipal No. 1492 Upper James Street.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 February 21**



City of Hamilton

Appendix 'A'

Planning and Development Department

Legend

Change in zoning from:



BLOCK 1 "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District, modified.



BLOCK 2 "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District, modified.

North



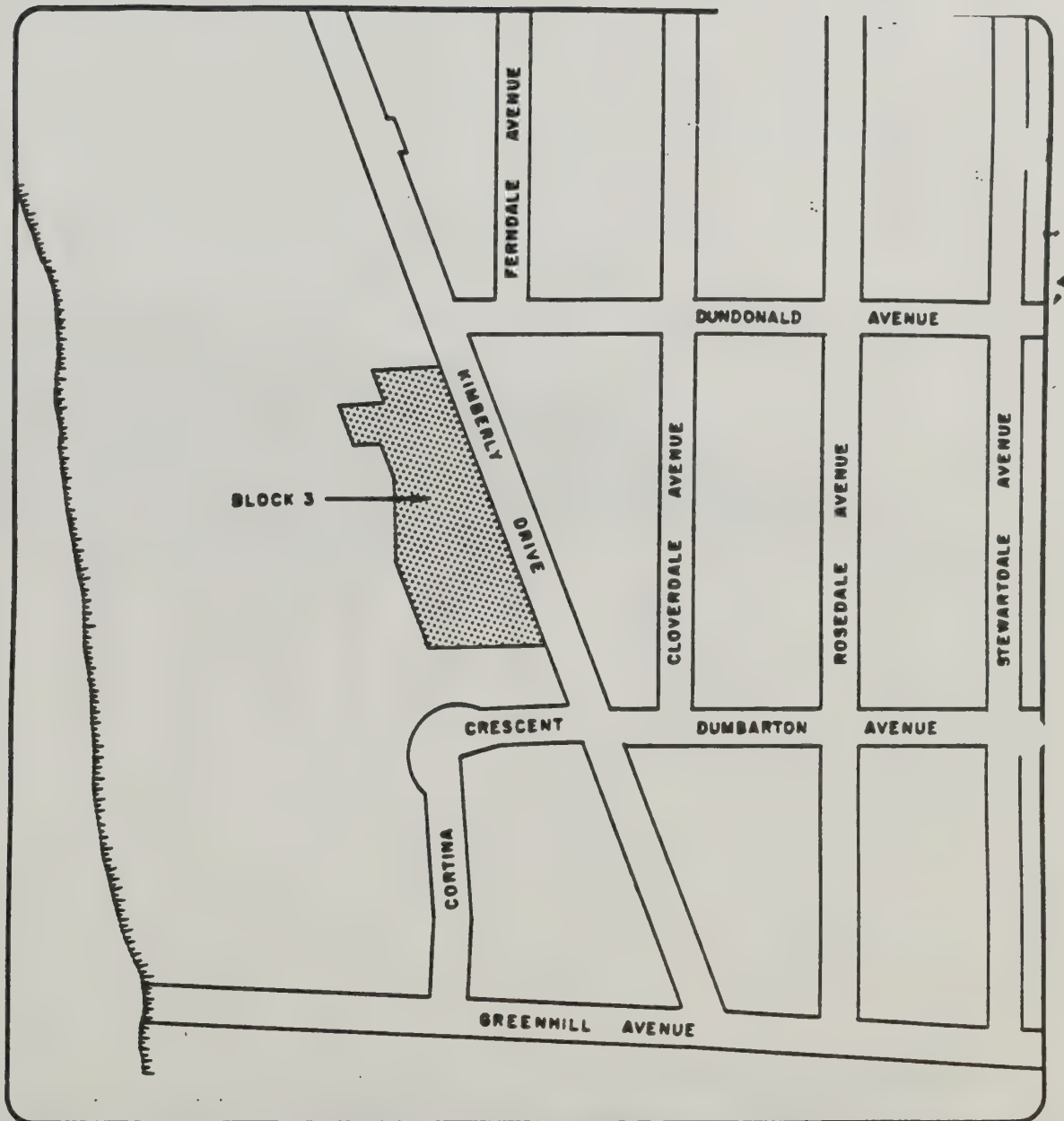
Scale
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Date
JANUARY 1996

Reference File No.
C.I. 84-H

Drawn By
Z.K.

Appendix "B" referred to in
Section 1. A. of the **THIRD** Report of
the Planning and Development
Committee for 1996.



City of Hamilton

Appendix 'B'

Planning and Development Department

Legend

Change in zoning from:

BLOCK 3



"A" (Conservation, Open Space,
Park and Recreation, etc.) District
to "B-2" (Suburban Residential)
District, modified.

North



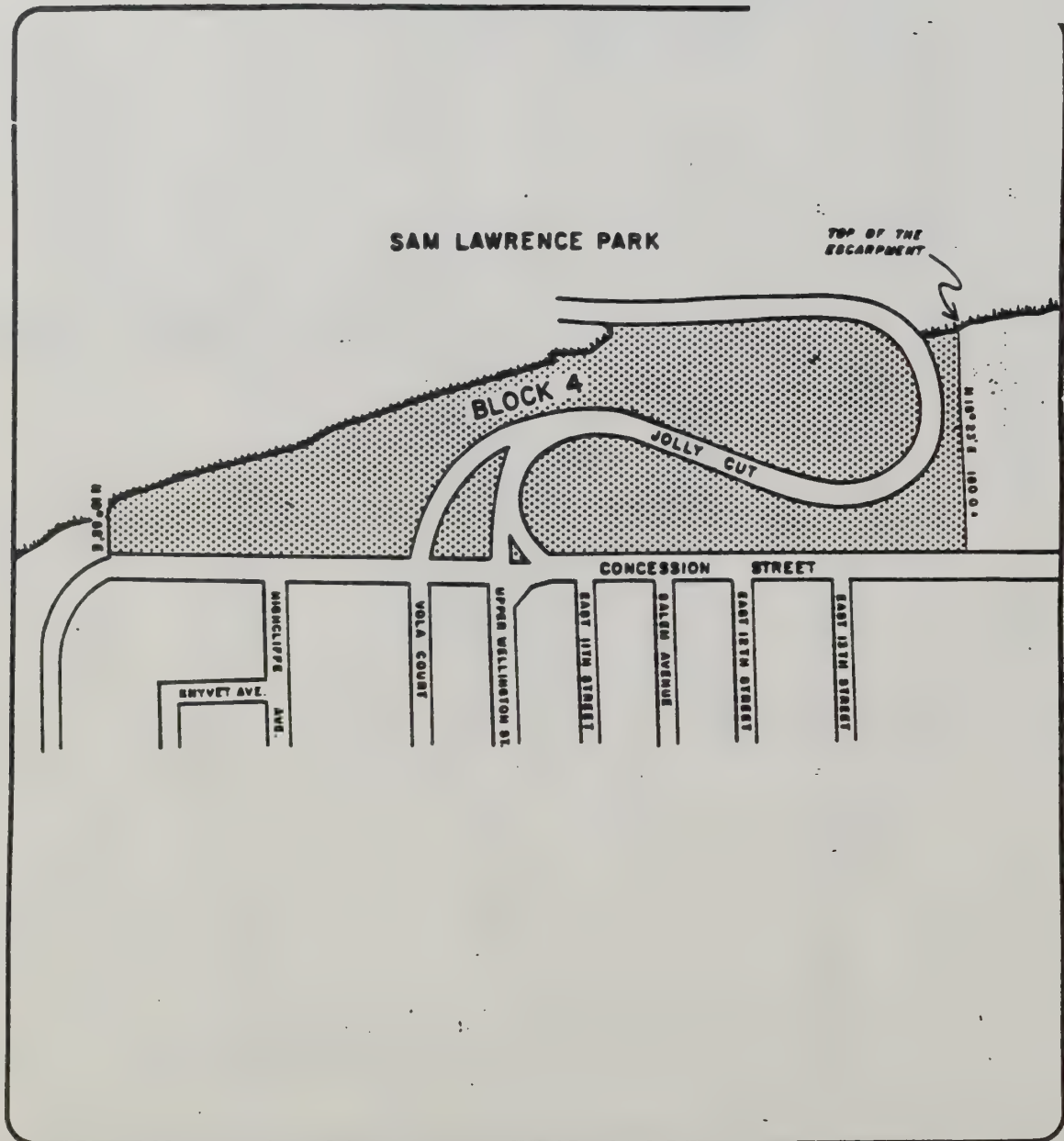
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Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.

Appendix "C" referred to in
Section 1. A. of the **THIRD** Report of
the Planning and Development
Committee for 1996.



City of Hamilton

Appendix 'C'

Planning and Development Department

Legend

BLOCK 4



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North



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Date

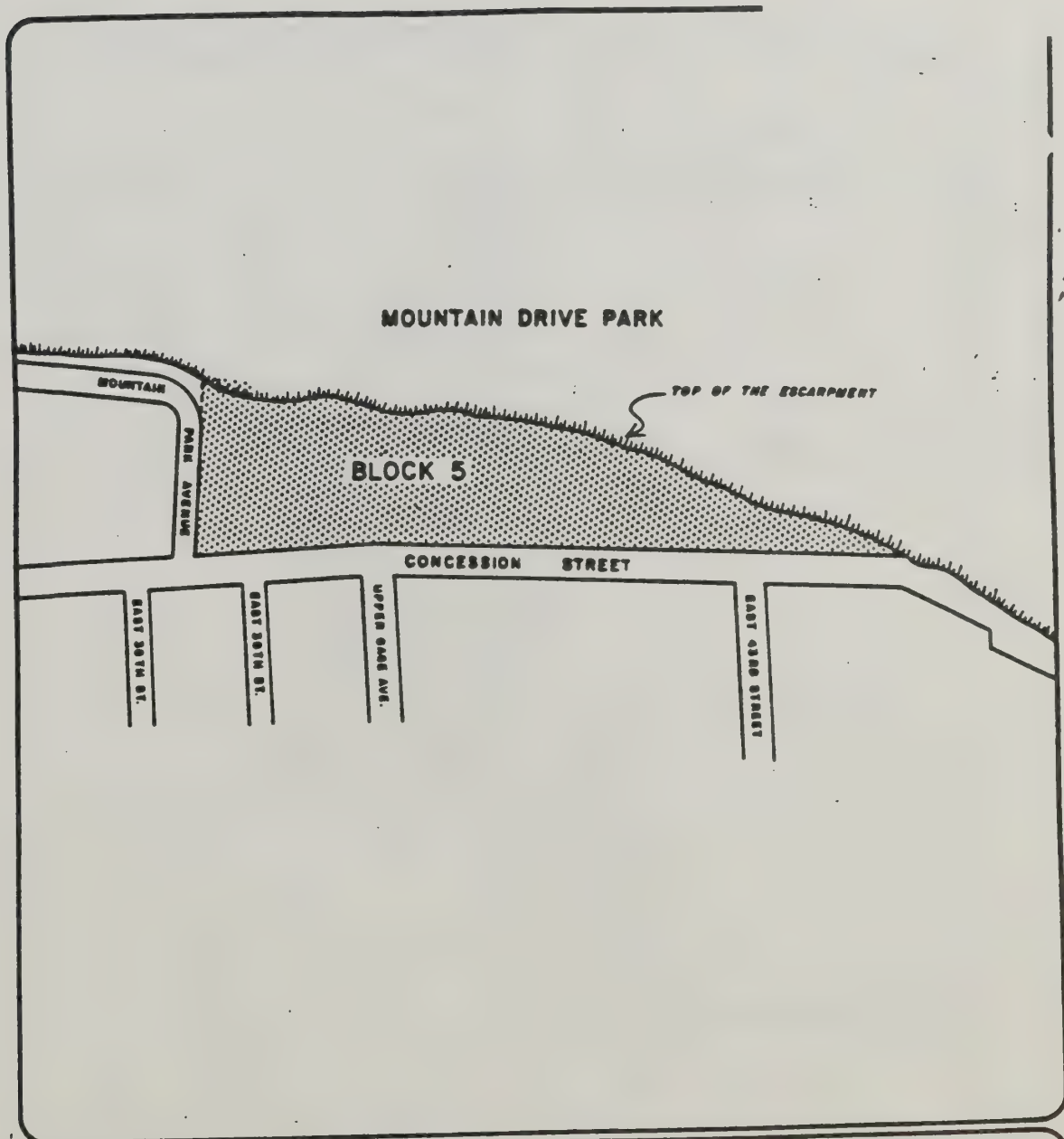
JANUARY 1996

Reference File No.

C.I. 94-H

Drawn By

Z.K.



City of Hamilton

Appendix 'D'

Planning and Development Department

Legend



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North



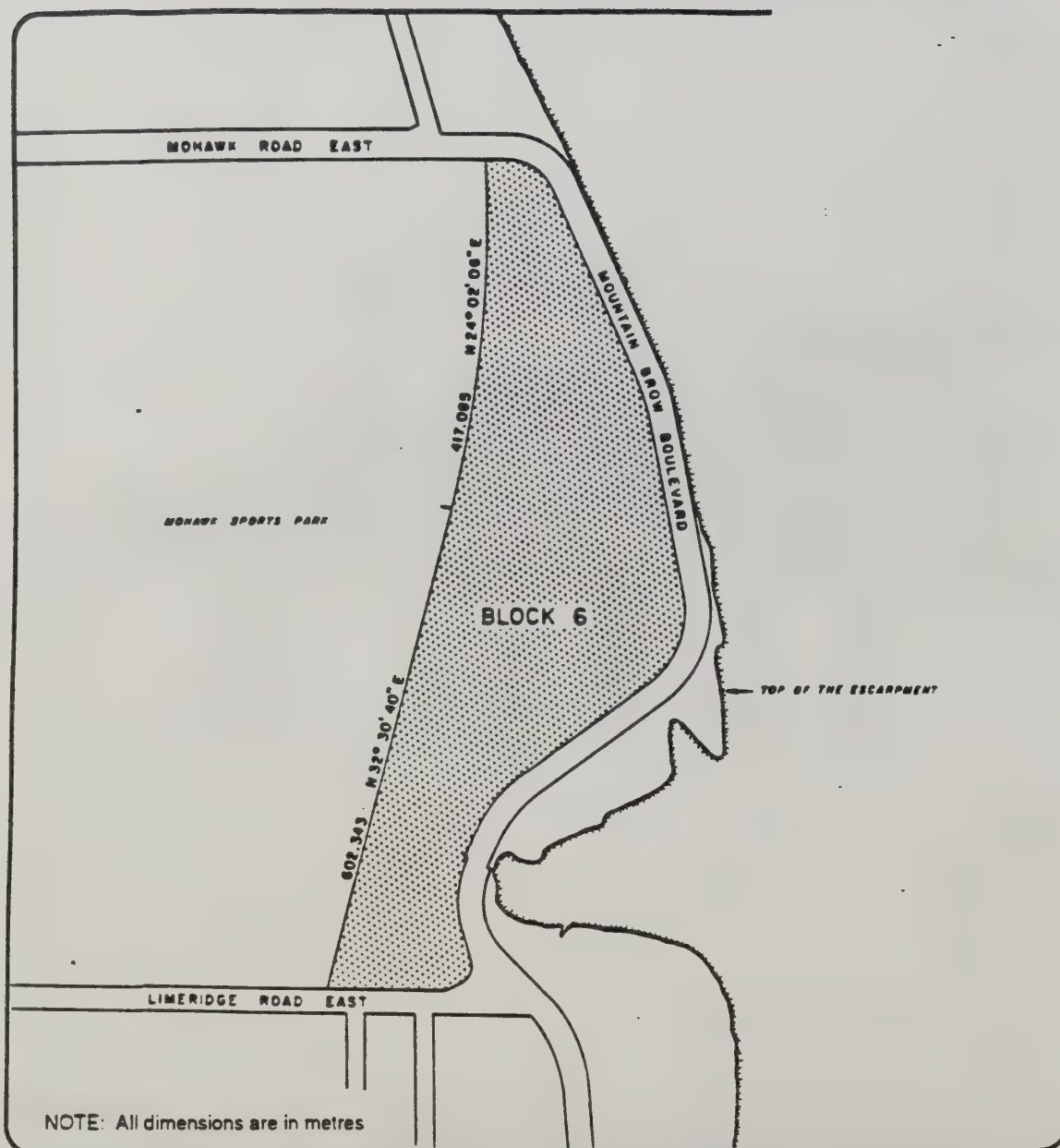
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Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.

Appendix "E" referred to in
Section 1. A. of the **THIRD** Report of
the Planning and Development
Committee for 1996.



City of Hamilton

Appendix 'E'

Planning and Development Department

Legend

BLOCK 6



Modification to the "A" (Conservation,
Open Space, Park and Recreation,
etc.) District regulations.

North

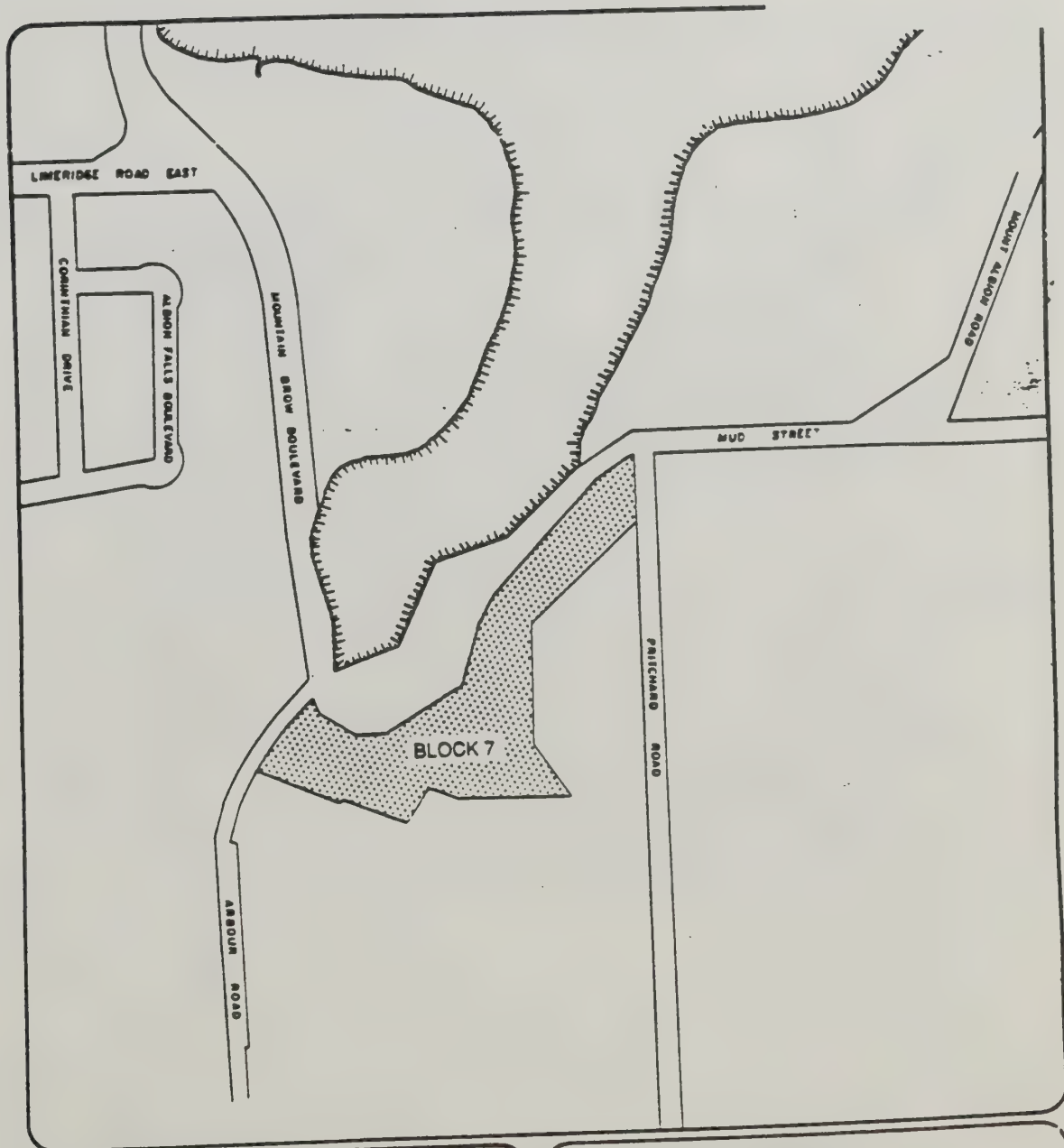


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Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K

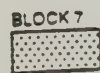


City of Hamilton

Appendix 'F'

Planning and Development Department

Legend



Modification to the "AA"
(Agricultural) District
regulations.

North



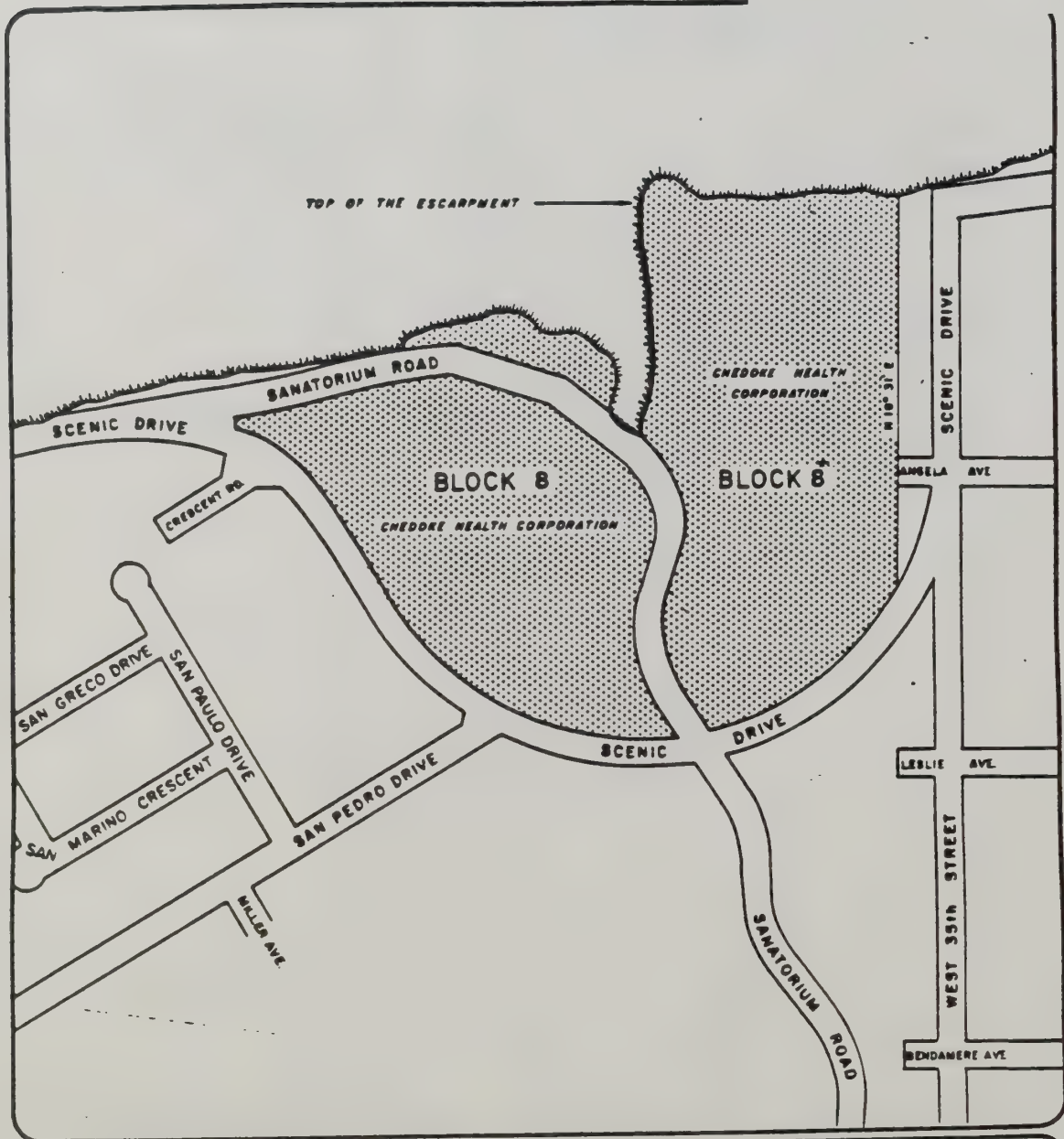
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Date
JANUARY 1996

Reference File No.

C.I. 94-H

Drawn By
R.L.



City of Hamilton

Appendix 'G'

Planning and Development Department

Legend



Modification to the
"AA" (Agricultural)
District regulations.

North

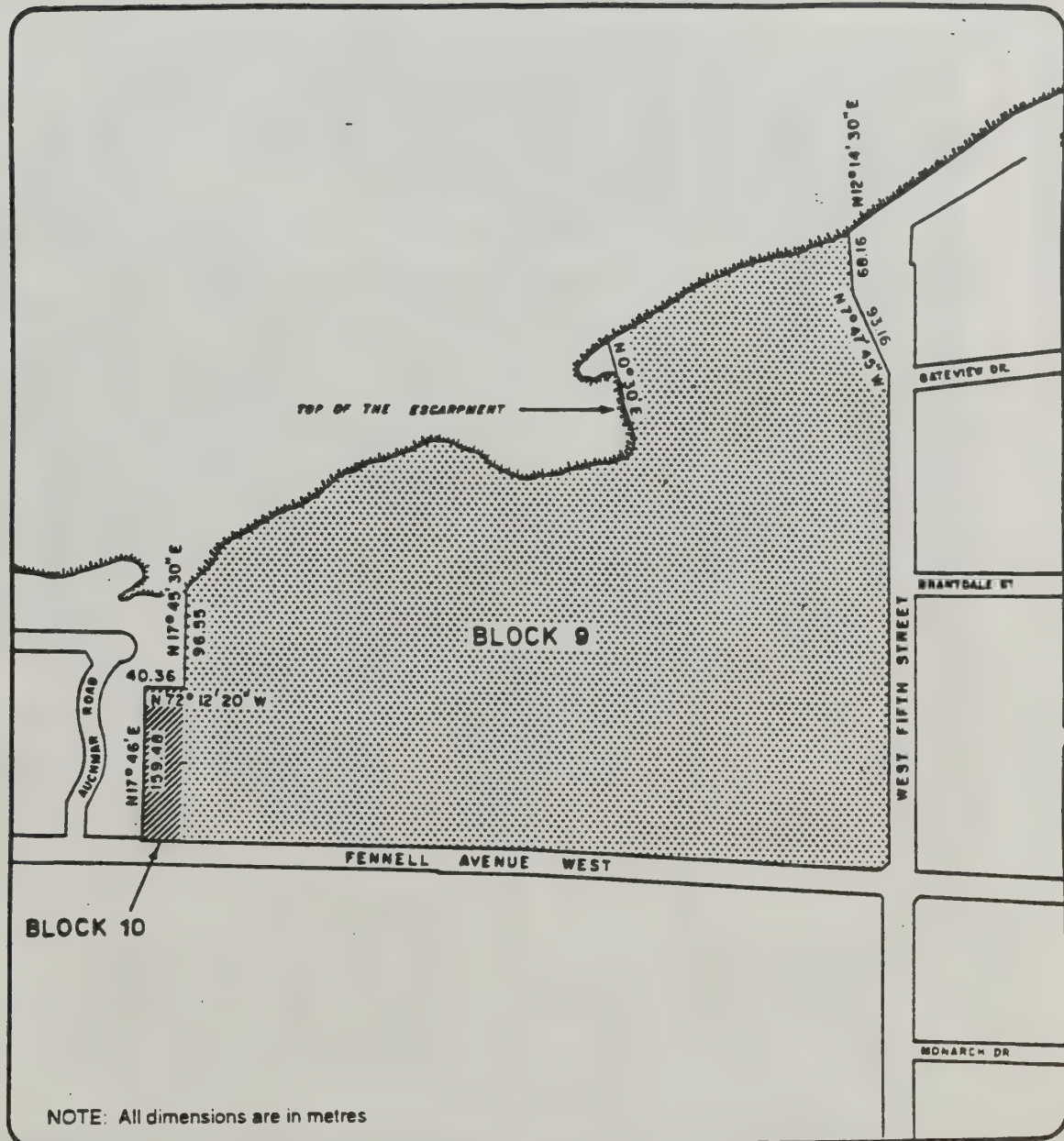


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Date
JANUARY 1996

Reference File No
C.I. 94-H

Drawn By
Z K



City of Hamilton

Appendix 'H'

Planning and Development Department

Legend

BLOCK 9



Modification to the "B" (Suburban
Agriculture and Residential, etc.)
District regulations.

BLOCK 10



Modification to the "B-1" (Suburban
Agriculture and Residential, etc.)
District regulations.

North



Scale
Not to Scale

Date
JANUARY 1996

Reference File No.
C.I. 94-H

Drawn By
Z.K.



City of Hamilton

Appendix "I"

Planning and Development Department

Legend



Lands to be placed under
"Development Control"

North



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Date

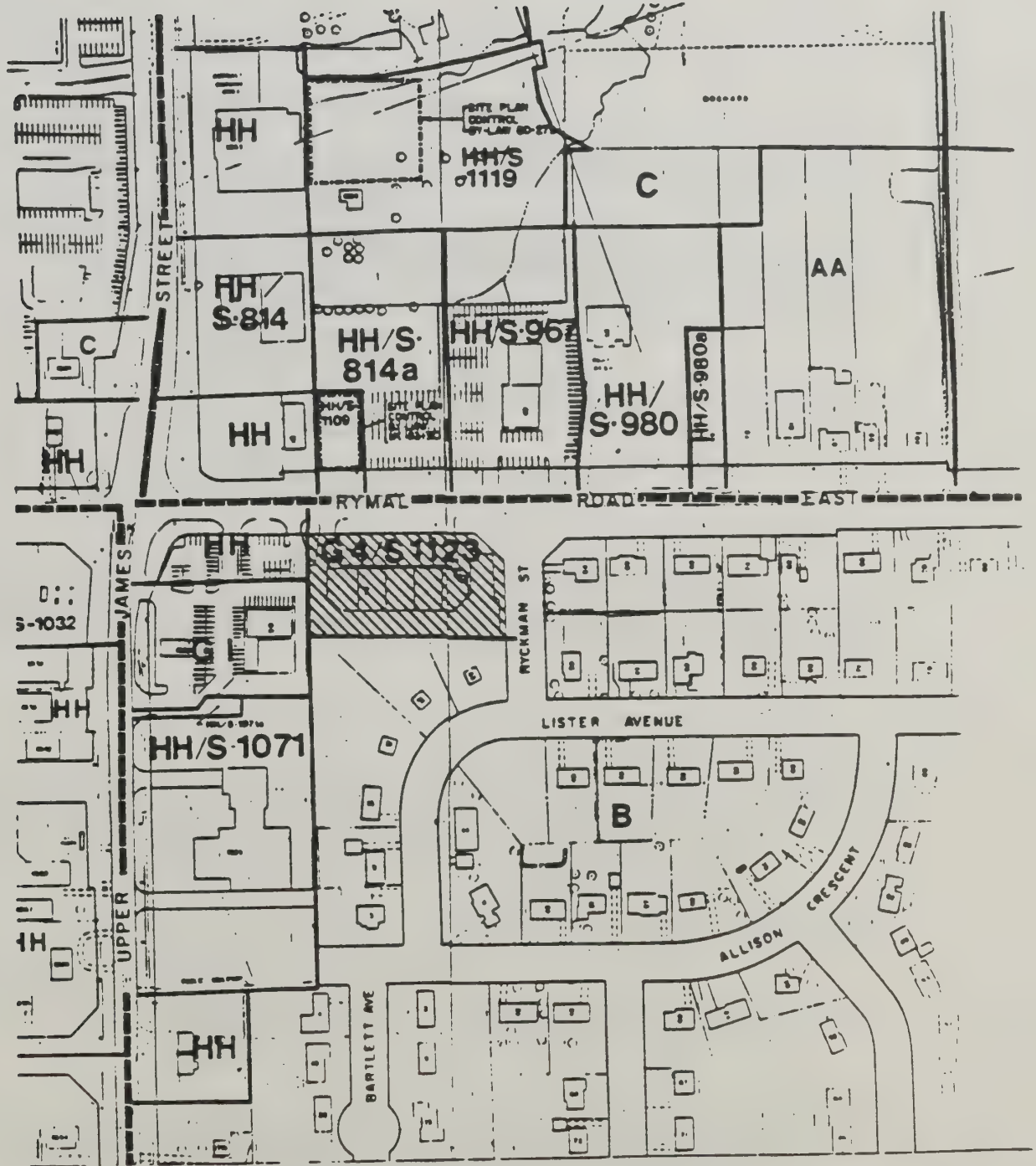
February 1996

Reference File No

C194-H

Drawn By

W B



Legend



Site of the Application



MINUTES OF SETTLEMENT

- Between -

DURAND NEIGHBOURHOOD ASSOCIATION INC.
(hereinafter called "Durand")

- and -

LATCO (1986) DEVELOPMENTS LIMITED
(hereinafter called "the developer")

- and -

THE CORPORATION OF THE CITY OF HAMILTON
(hereinafter called "the city")

The parties hereby noted above agree to settle Ontario Municipal Board File No. Z940041 on the following terms which will be included in a site-specific by-law similar to By-law No. 92-197 (The Carter Square By-law in that the building envelopes and building setbacks are specifically defined in the zoning by-law.)

1. Maximum Gross Floor Area

The building fronting onto Robinson Street (hereinafter the Robinson building), the building fronting onto Charlton Avenue (hereinafter the Charlton building) and the remaining Thistle Club building as at 9 January, 1995 shall cumulatively be permitted to have a maximum gross floor area (hereinafter G.F.A.) ratio of 2.25 times the lot coverage (approximately 17,490 sqm or 188,270 sqft.).

2. Maximum Heights

The Robinson Street Building shall have no more than 8 floors. The Charlton Avenue Building shall have a central section of no more than 7 floors and a combination of 3/4/5/4 storey graduation along Charlton Avenue as shown on Schedule "A".

3. Dwelling Unit Cap

The sum total of the dwelling units in both the Robinson Street Building and the Charlton Avenue Building will not exceed 200. If 200 dwelling units are included in one of the buildings, it follows that the other building cannot be constructed.

HF 

4. Thistle Club Site

The land upon which the Thistle Club stands after the development of the Robinson Street Building, hereinafter referred to as the "Thistle Club site", can be redeveloped upon demolition of the then building as follows:

- (a) a building of a maximum G.F.A. of 2,545 sqm (27,395 sqft) can be constructed provided that the maximum G.F.A. ratio, for the entire development site (i.e. those lands upon which the Robinson Street Building and the Charlton Avenue Building are to be constructed and the Thistle Club site) does not exceed 2.25 times lot coverage;
- (b) the maximum height of the new building on the Thistle Club site shall not exceed 4 storeys;
- (c) permitted uses in accordance with the "E" District and "RT-20" District will be permitted on the Thistle Club site;
- (d) set backs for any construction on the Thistle Club site shall be accordance with the building envelope shown on attached Schedule "A";
- (e) parking for the Thistle Club site will be permitted on the lands upon which the Robinson Street building and the Charlton Avenue building are constructed.

5. Amenity Space for the Charlton Avenue and Robinson Street Buildings

- (a) for the purposes of these Minutes of Settlement, Amenity Area shall be the same as that described in section 2.(2)H.(ia) of By-law 6593 as of January 9, 1995 with a modification such that landscaping, patios and balconies are not included. Landscaping, patios and balconies shall not be considered as amenity area for the purposes of these Minutes of Settlement;
- (b) in regard to the Charlton Avenue Building the developer must provide 4,000 sqft of amenity space. Amenity space to a maximum of 4,000 sqft will not be included in the G.F.A. calculation for the Charlton Avenue Building;
- (c) in regard to the Robinson Street Building the developer must provide 3,000 sqft of amenity space. Amenity space to a maximum of 3,000 sqft will not be included in the G.F.A. calculation for the Robinson Street Building;
- (d) with respect to the Charlton Avenue building where balconies are enclosed, the resultant increase in G.F.A. will be excluded to a maximum of 9,000sqft. It is understood that no G.F.A. bonus will be given for a particular balcony unless it is enclosed;

Handwritten signature/initials

- (e) with respect to the Robinson Street building where balconies are enclosed, the resultant increase in G.F.A. will be excluded to a maximum of 7,500 sqft. It is understood that no G.F.A. bonus will be given for a particular balcony unless it is enclosed;
- (f) a site specific by-law will be prepared in a form similar to By-law No. 82-187 (the Carter Square By-law);
- (g) the building setbacks do not include the balconies of each of the buildings in the calculations.

6. Traffic

The developer will provide the services of professional transportation engineers, at the developer's cost, to a maximum of \$7,500.00 to assist Durand in conducting an analysis of through traffic on Charlton Avenue with a view to making recommendations to the City regarding improvement in those patterns on Charlton Avenue.

7. Site Plan Agreements

The developer agrees that it will enter into one or more Site Plan Agreements with the City in the City's standard form.

8. Site Plan Consultation

The Developer undertakes that in the site plan design stage it will do the following:

- (a) provide the Durand with a copy of its proposed Site Plan at the time it is filed with the City and consult in good faith with the Durand on the Site Plan during the site plan process;
- (b) obtain and reasonably consider professional advice regarding the potential of the building design to cause wind shear or cyclonic impacts at the ground level of the Robinson building.

9. Existing By-law 88-261

That which is permitted under By-law 88-261 will continue to be permitted. It must be noted that the developer will have two options for the site; one being that which is permitted under By-law 88-261; and the other option being that which is permitted under these Minutes of Settlement. A hybrid of the two options will not be permitted by By-law 88-261 or the By-law enacted further to these Minutes of Settlement.

Handwritten signature and initials, possibly "HF" and "RS", in the bottom right corner of the page.

10. Severances

Durand agrees that it will not oppose subsequent applications by the developer for severances to implement the proposed property lines shown on the attached Schedule B for the construction only of one or more of the buildings each described in these Minutes of Settlement as Schedule A .

11. Authorization

The authorization for these Minutes of Settlement from the Council for the City of Hamilton is contained within the Fourth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held 1995 January 10 (copy attached as Schedule "C").

12. Subsequent Owners

The developer agrees to bind subsequent owners to enter into Assumption Agreements concerning these Minutes of Settlement with the Durand and the City.

HF  

DATED at the City of Hamilton this 11 day of Jan 1995.

DURAND NEIGHBOURHOOD ASSOCIATION
INC.

"Durand"

Robert Falkner, President of above
Maurice Sheppard, Secretary

To 2000
DATED at the City of Hamilton this 3rd day of Jan. 1995.

LATCO (1988) DEVELOPMENTS LIMITED
"the developer"

DATED at the City of Hamilton this 19th day of Jan 1995.

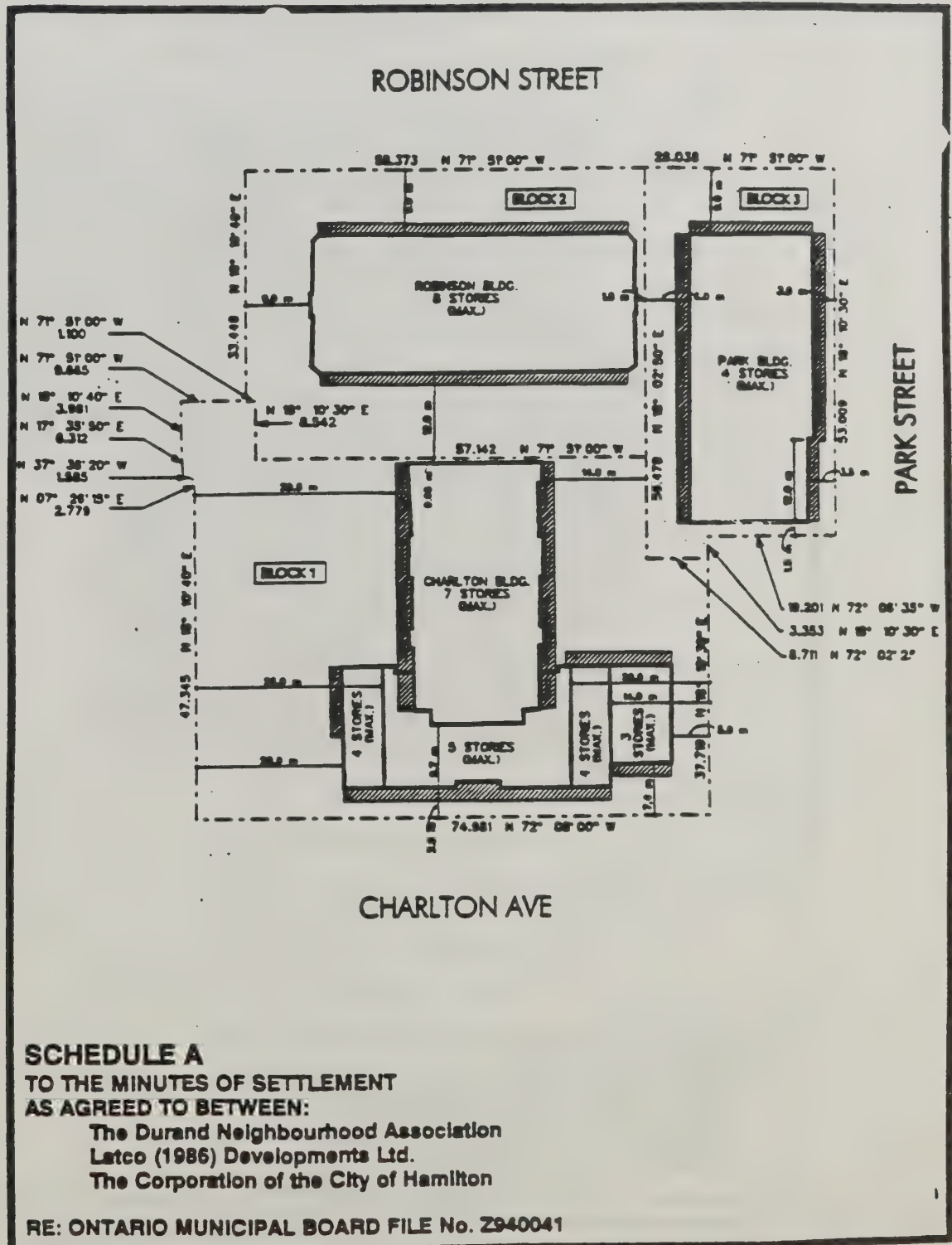
THE CORPORATION OF THE CITY OF
HAMILTON
"the City"



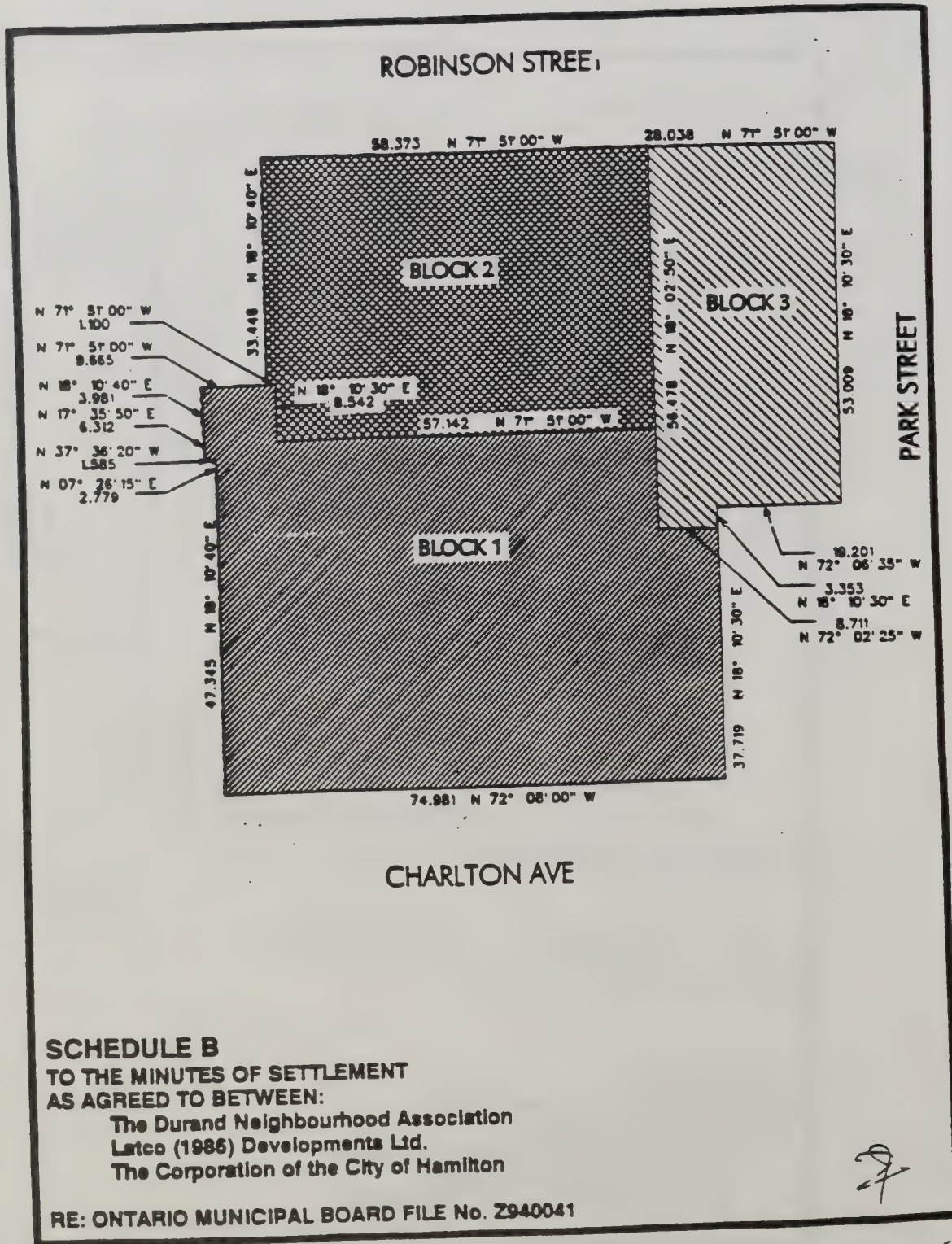
[Signature]
ROBERT M. MORROW, MAYOR
ALDERMAN D. DRURY, ACTING MAYOR

[Signature]
JOSEPH J. SCHATZ, CITY CLERK

(dynamis.stl)



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SCHEDULE C

**TO THE MINUTES OF SETTLEMENT
AS AGREED TO BETWEEN:**

The Durand Neighbourhood Association
Latco (1986) Developments Ltd.
The Corporation of the City of Hamilton

RE: ONTARIO MUNICIPAL BOARD FILE No. Z940041

1995 January 16

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. The compromise reached with respect to amended Zoning Application ZAC-93-17, Latco (1986) Developments Limited, owner, for lands located at 85 Robinson Street (Thistle Club), as shown on the attached map marked as appendix "A", between the owner (Latco (1986) Developments Limited) and the Durand Neighbourhood Association can be supported on the following basis:
 - the existing By-law No. 88-261 is to be amended so that the developer has two individual options for the development of the property:
 - the first option would be to allow that which is permitted under By-law No. 88-261;
 - the second option would allow for:
 - (a) two apartment buildings, one fronting onto Robinson Street and one fronting onto Charlton Avenue, and the remaining Thistle Club building with a maximum gross floor area ratio of 2.25 times lot coverage (approximately 17,490 m² or 188,270 feet²);
 - (b) if/when the remaining Thistle Club building is demolished, the vacant lands would be redeveloped on the following basis:
 - (i) maximum gross floor area of 2545 m² (27,395 feet²);
 - (ii) maximum height of 4 stories;
 - (iii) minimum yard requirements: as per attached Appendix "B";
 - (iv) permitted uses in accordance with the "E" District regulations; and townhouses, street townhouses and maisonettes in accordance with the "RT-20" District regulations;
 - (v) maximum gross floor area ratio, including two apartment buildings in Part (a) above, would not exceed 2.25;

1995 January 10

- (vi) parking will be permitted on the lands upon which the building facing Robinson Street and the building facing Charlton Avenue are to be constructed;
- (c) the following will be established with respect to amenity area:
- (i) "amenity area" be defined as "an area on the same lot accessory to a residential use, including communal areas such as swimming pools, lounges, and recreation areas";
- (ii) amenity area will be provided on the following basis:
- Building facing Robinson Street - a minimum of 278.7 m^2 (3000 feet²); and,
- Building facing Charlton Avenue - a minimum of 371.6 m^2 (4000 feet²);
- (iii) required amenity area will not be calculated as part of the gross floor area ratio of 2.25 up to maximums as set out below:
- Building facing Robinson Street:
Amenity area to a maximum of 278.7 m^2 (3000 feet²) will not be included in the gross floor area calculation;
- Where balconies are enclosed, the resultant increase in gross floor area will be excluded up to a maximum of 696.75 m^2 (7500 feet²);
- Building facing Charlton Avenue:
Amenity area to a maximum of 371.6 m^2 (4000 feet²) will not be included in the gross floor area calculation;
- Where balconies are enclosed the resultant increase in gross floor area will be excluded up to a maximum of 836.1 m^2 (9000 feet²);
- (d) not more than 200 dwelling units in the building facing Robinson Street and the building facing Charlton Avenue combined (not including the remaining Thistle Club lands);
- a site specific by-law be prepared in a form similar to By-law No. 92-197 (the Carter Square by-law);

HF

1995 January 10

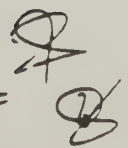
- the applicant will engage traffic engineers to work with the Durand Neighbourhood Association and make recommendations to the City Traffic Department concerning the traffic impacts on Charlton Avenue; and,
 - the applicant will provide an undertaking to:
 - provide the Durand Neighbourhood Association with a copy of its proposed Site Plan at the time it is filed with the City and consult in good faith with Durand on the Site Plan during the site plan process; and,
 - obtain and reasonably consider professional advice regarding the potential of the building design to cause wind shear or cyclonic impact at the ground level of the building facing Robinson Street.
2. That staff be directed to advise the Ontario Municipal Board that the City supports the compromise as set out in Recommendation No. 1.

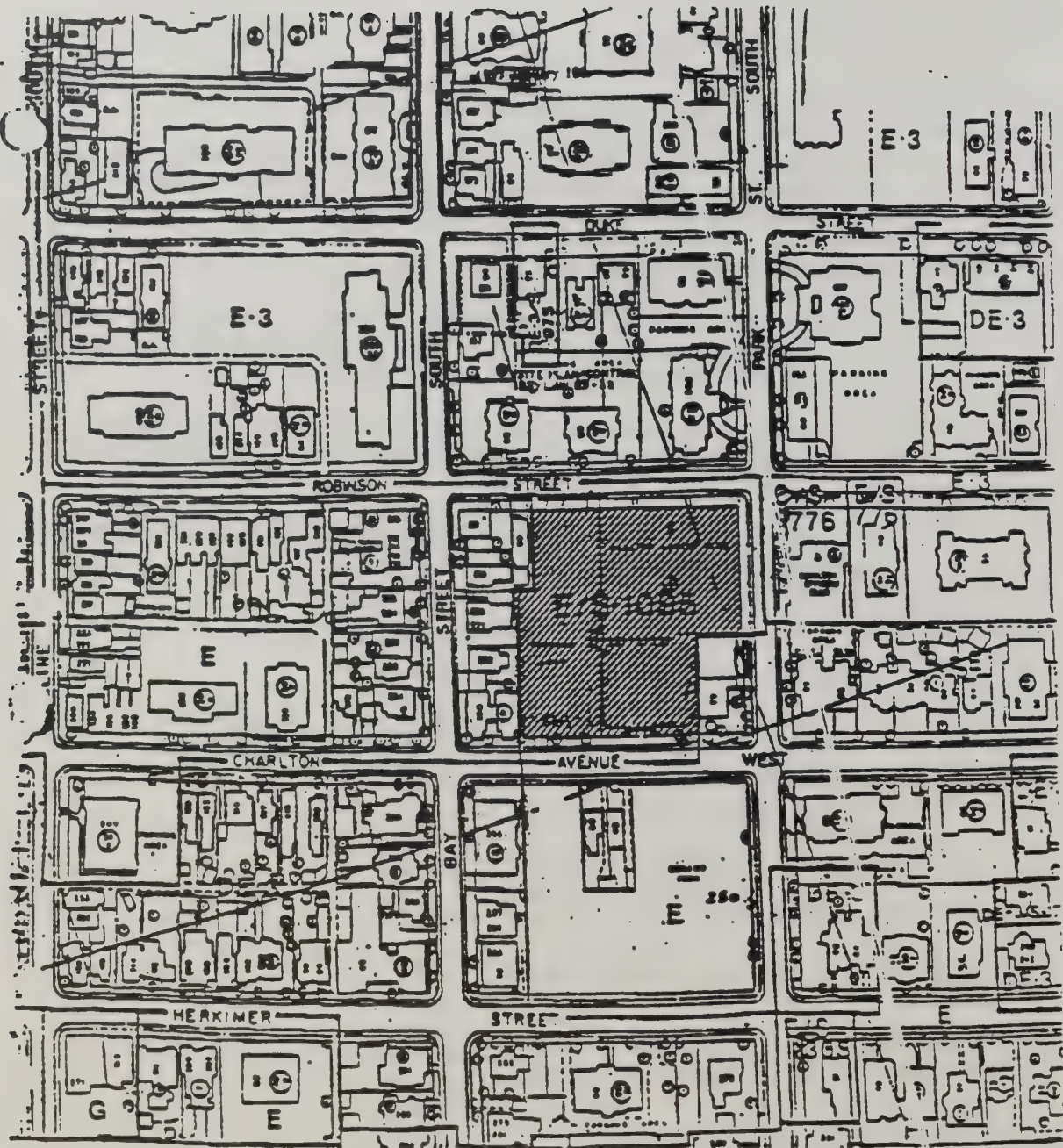
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover
Secretary**

1995 January 10

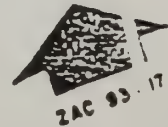
HF 

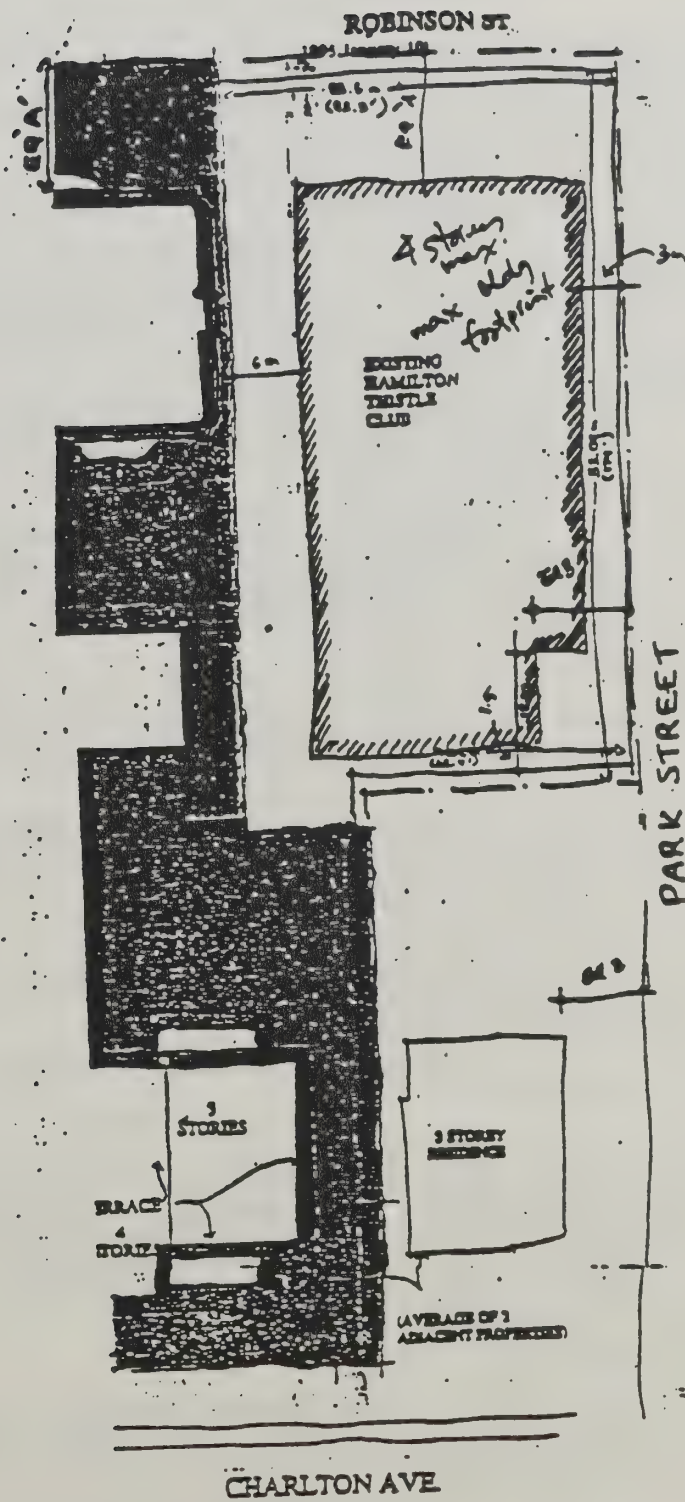


Legend



Site of the Application





Bill No. C-

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 85 ROBINSON STREET

WHEREAS it is intended to establish special requirements under Section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 88-261 on the 8th day of November 1988 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E" District, in respect of the land located at Municipal No. 85 Robinson Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board by its Memorandum of Oral Decision (Files No. C940123, C940124, Z 940041), dated the 16th day of January 1995, directed that By-law No. 88-261 be amended as hereinafter provided;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to permit two mutually exclusive development options in respect of the land located at Municipal No. 85 Robinson Street, in addition to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of Zoning By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended as set out below such that the lands might be developed by way of one of two distinct options and not a hybrid of the two. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions will also continue to be applicable to the lands notwithstanding the two options noted herein.

OPTION NO. 1

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended, to the extent only of the special requirements that,

- (a) notwithstanding Section 2.(2)A.(xiiaa) of By-law No. 6593, a residential care facility shall be permitted in the same building as the multiple dwelling;

- (b) notwithstanding Section 2.(2)J.(xb) of By-law No. 6593, a pedestrian entranceway to underground parking shall be permitted within the landscaped area required under Section 18A.(12) of By-law No. 6593.
- (c) Section 4.(3)(a) of By-law No. 6593 shall not apply;
- (d) notwithstanding Section 11.(1)(iii) of By-law No. 6593, the multiple dwelling shall provide not more than 110 dwelling units;
- (e) notwithstanding Section 11.(1)(iiib) of By-law No. 6593, the residential care facility shall accommodate not more than 162 residents, all of whom shall be not less than 60 years of age;
- (f) notwithstanding Section 11.(1)(viii) of By-law No. 6593, continued use of the private club is permitted only within the building or any portion thereof existing at the date of the passing of this by-law;
- (g) notwithstanding Section 11.(3)(ii)(b) of By-law No. 6593, a side yard of not less than 8.0 m in width shall be provided and maintained along the westerly side lot line within 33.4 m of Robinson Street;
- (h) notwithstanding Section 11.(3)(iii)(b) of By-law No. 6593, a rear yard of not less than 8.0 m in depth shall be provided and maintained along Charlton Avenue;
- (i) notwithstanding Section 11.(5) of By-law No. 6593, a gross floor area of not more than 22,130.0 m² shall be permitted;
- (j) Section 11.(7) of By-law No. 6593 shall not apply;
- (k) notwithstanding Section 18.(3)(vi)(b)(i) of By-law No. 6593, a canopy may project not more than 2.5 m into the required front yard;
- (l) notwithstanding Section 18.(3)(vi)(cc)(i) of By-law No. 6593, a balcony may project not more than 1.4 m into the required front yard;
- (m) notwithstanding Section 18A.(1)(a) of By-law No. 6593, not less than 173 parking spaces shall be provided and maintained;
- (n) notwithstanding Section 18A.(11)(a) and 18A.(12)(b) of By-law No. 6593, the boundary of the loading space shall be fixed not less than 0.4 m from the boundary of the adjoining residential district.

OPTION NO. 2

3. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on plans hereto annexed as Schedule "B" and Schedule "C", are further amended to the extent only of the special requirements that,

- (a) notwithstanding Sections 11(2), 11(3), 18(3), and 18(8) of By-law No. 6593, the maximum building heights above grade, minimum yards and minimum building distance separations shall be provided and maintained in accordance with the attached Schedule "C". Above grade buildings shall be located wholly within the areas outlined by the heavy building envelope lines as is shown on Schedule "C". Building envelopes shall be variable to the maximum distances shown on Schedule "C" provided that the minimum setbacks shown on Schedule "C" are met. Minimum setbacks shall not be compromised by maximized building envelopes;

- (b) notwithstanding Section 11(3) of By-law No. 6593 and Section 3(a) of this by-law, the following setbacks are required for any building within Block 1:
 - (i) from Block 2 - minimum 0.05 metres,
 - (ii) from Block 3 - minimum 14.0 metres,as shown on Schedule "C";
- (c) notwithstanding Section 11(3) of By-law No. 6593 and Section 3(a) of this by-law, the following setbacks are required for any building within Block 2:
 - (i) from Block 1 - minimum 12.0 metres,
 - (ii) from Block 3 - minimum 1.0 metres,as shown on Schedule "C";
- (d) notwithstanding Section 11(3) of By-law No. 6593 and Section 3(a) of this by-law, the following setbacks are required for any building within Block 3:
 - (i) from Block 1 - minimum 4.8 metres,
 - (ii) from Block 2 - minimum 6.0 metres,as shown on Schedule "C";
- (e) notwithstanding Section 18(3)(vi)(cc) of By-law No. 6593, balcony projections for all yards are not to exceed 1.5 m, including enclosed balconies;
- (f) notwithstanding Section 11(5) of By-law No. 6593, the following provisions apply:
 - (i) a maximum gross floor area of 2.25 times the lot area of Blocks 1, 2 and 3 as shown on Schedule "B" shall be permitted;
 - (ii) a maximum of 200 dwellings units shall be permitted on Blocks 1 and 2 combined;
 - (iii) a maximum gross floor area of 2,545 m² (27,395 feet²) shall be permitted on Block 3, provided that the maximum gross floor area ratio for the entire site (Blocks 1, 2 and 3) does not exceed 2.25 times lot area;all in accordance with the attached Schedule "C",
- (g) amenity area shall be provided and maintained on the following basis:
 - (i) Block 1 - minimum of 371.6 m² (4,000 feet²); and
 - (ii) Block 2 - minimum of 278.7 m² (3,000 feet²);
- (h) the required amenity area noted in (h) above will not be calculated as part of the gross floor area ratio of 2.25 up to maximums as follows:
 - (i) Block 1 - amenity area to a maximum of 371.6 m² (4,000 feet²); and
 - (ii) Block 2 - amenity area to a maximum of 287.7 m² (3,000 feet²);

- (i) where balconies are enclosed, the resultant increase in gross floor area will not be calculated as part of the gross floor area ratio of 2.25 as follows:
 - (i) Block 1 - to a maximum of 836.1 m² (9,000 feet²); and
 - (ii) Block 2 - to a maximum of 696.75 m² (7,500 feet²);
 - (j) for the purposes of Option No. 2, "amenity space" shall be defined as: "an area on the same lot accessory to a residential use, including communal areas such as swimming pools, lounges and recreation areas, but does not include landscaping, patios and balconies";
 - (k) notwithstanding Section 11(1) of By-law No. 6593, townhouses, street townhouses or maisonettes shall be permitted on Block 3;
 - (l) notwithstanding Section 11(1)(viii) of By-law No. 6593, and Sections 3(a) to 3(k) of this by-law, the continued use of the private club is permitted only within the building or any portion thereof existing at the date of the passing of this by-law;
 - (m) notwithstanding Section 18A of By-law No. 6593, required parking for Block 3 may be provided and maintained on Blocks 1 and 2, subject to the registration on title of irrevocable site plan agreements for each of Blocks 1, 2 and 3 between the respective owner(s) of Blocks 1, 2 and 3 and the City. In the event that required parking for Block 3 is not being provided and maintained by such a site plan agreement, parking for Block 3 must be provided and maintained on Block 3;
 - (n) notwithstanding Section 18A of By-law No. 6593, required parking, access driveways, and manoeuvring space for Block 1 and Block 2 may be provided and maintained on both Block 1 and Block 2, subject to the registration on title of irrevocable site plan agreements for each of Blocks 1 and 2 between the respective owner(s) of Blocks 1 and 2 and the City. In the event that required parking, access driveways, and manoeuvring space for each of Blocks 1 and 2 is not being provided and maintained by such site plan agreements, required parking, access driveways and manoeuvring space for each of Blocks 1 and 2 must be provided and maintained on Block 1 and Block 2, respectively;
 - (o) notwithstanding Section 18A of By-law No. 6593, one loading space measuring 3.7 metres by 9.0 metres shall be provided and maintained on each of Block 1 and Block 2.
4. Where the land is developed in accordance with Option No. 1, no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in Section 2.
5. Where the land is developed in accordance with Option No. 2, no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in Section 3 of this by-law.
6. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1343.

7. Sheet No. W-5 of the District Maps is amended by marking the lands referred to in Sections 2 and 3 of this by-law, S-1343.

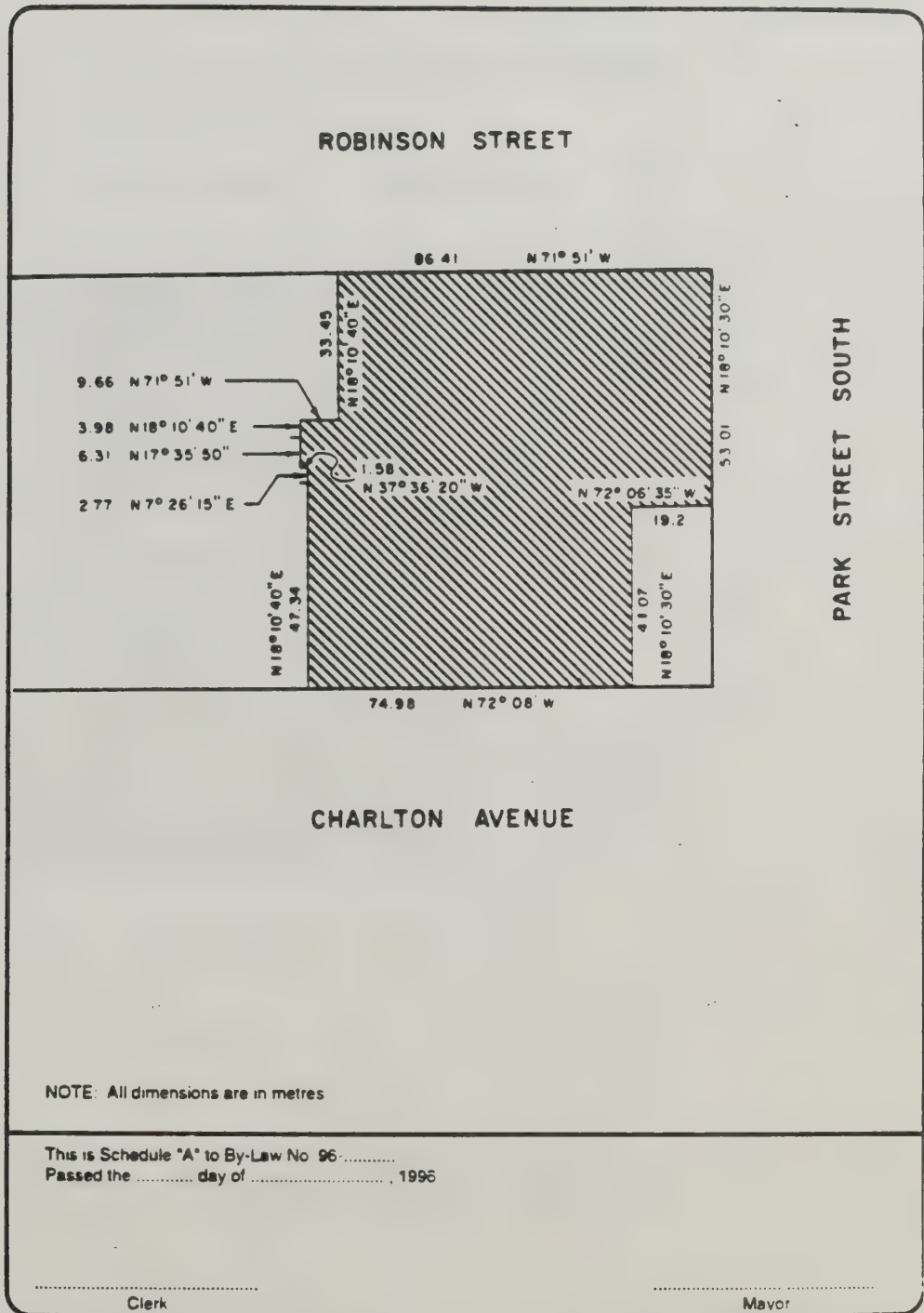
8. By-law No. 88-261 is hereby repealed in its entirety.

PASSED this day of A.D. 1996

CITY CLERK

MAYOR

(1995) 4 R.P.D.C. 1, January 10
Latco (1986) Developments Limited, Owner
ZAC-93-17



City of Hamilton

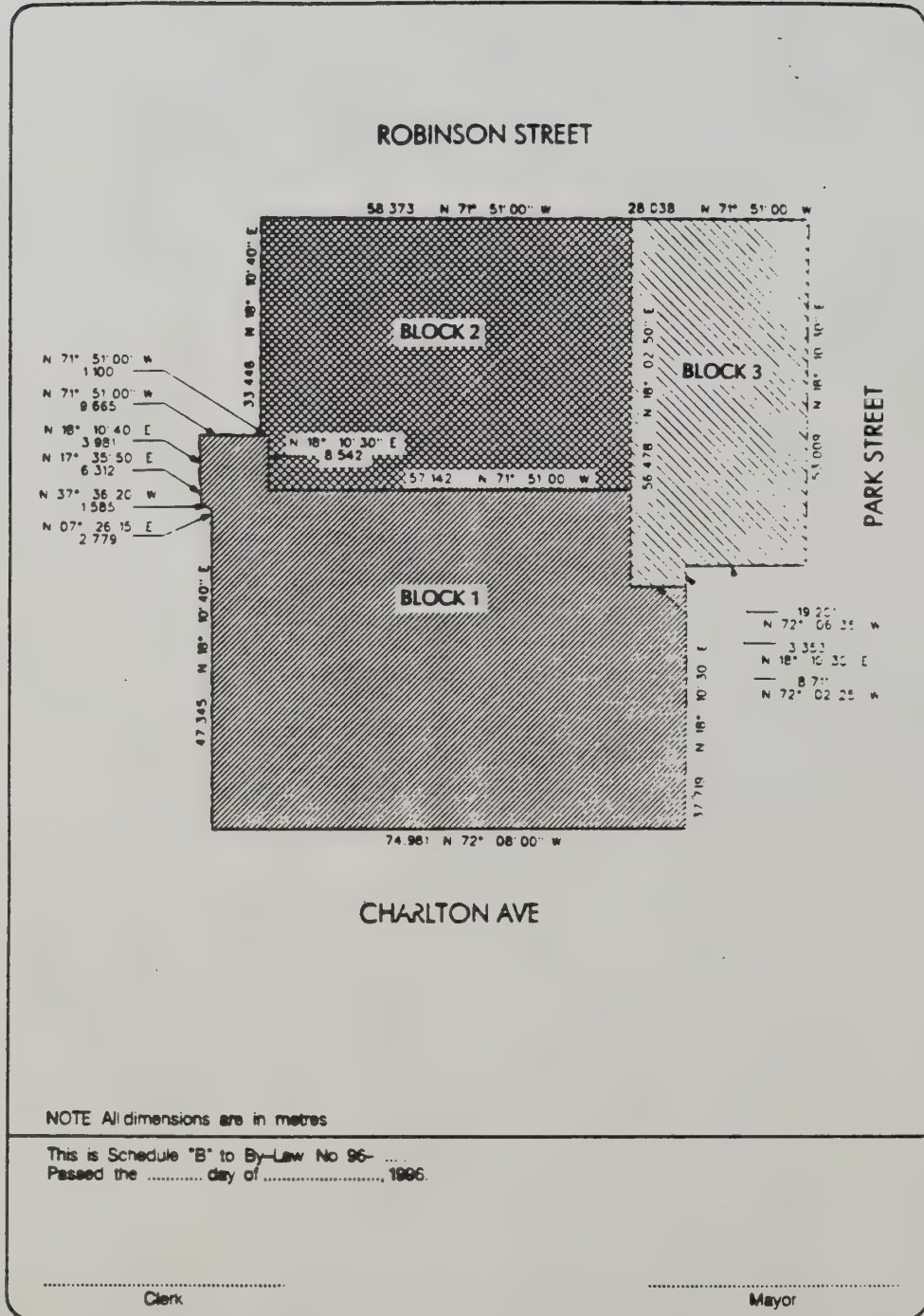
Schedule A

Map Forming Part of
By-Law No. 96.....
to Amend By-Law No. 6593

Legend

Lands to be regulated by
By-Law No. 96-.....

North 	Scale Not to Scale	Reference File No ZAC-93-17
	Date FEB 1996	Drawn By Z K



City of Hamilton

Schedule B

Map Forming Part of
 By-Law No. 96-
 to Amend By-Law No. 6593

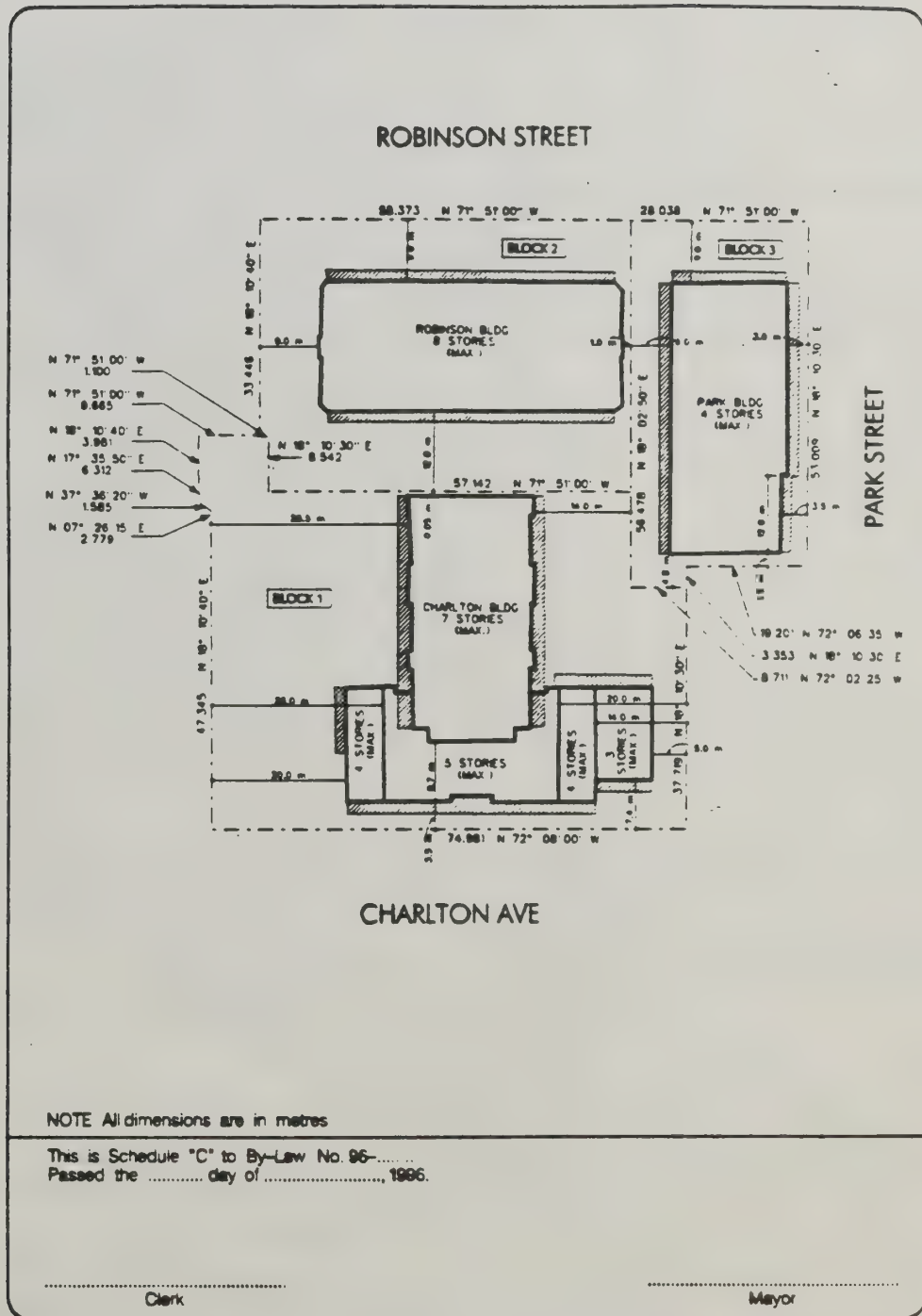
Planning and Development Department

Legend

	BLK. 1
	BLK. 2
	BLK. 3

Lands to be regulated by
 By-Law No. 96-

North 	Scale Not to Scale	Reference File No ZAC-93-17
	Date FEB. 1996	Drawn By R.L.



City of Hamilton

Schedule C

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Planning and Development Department

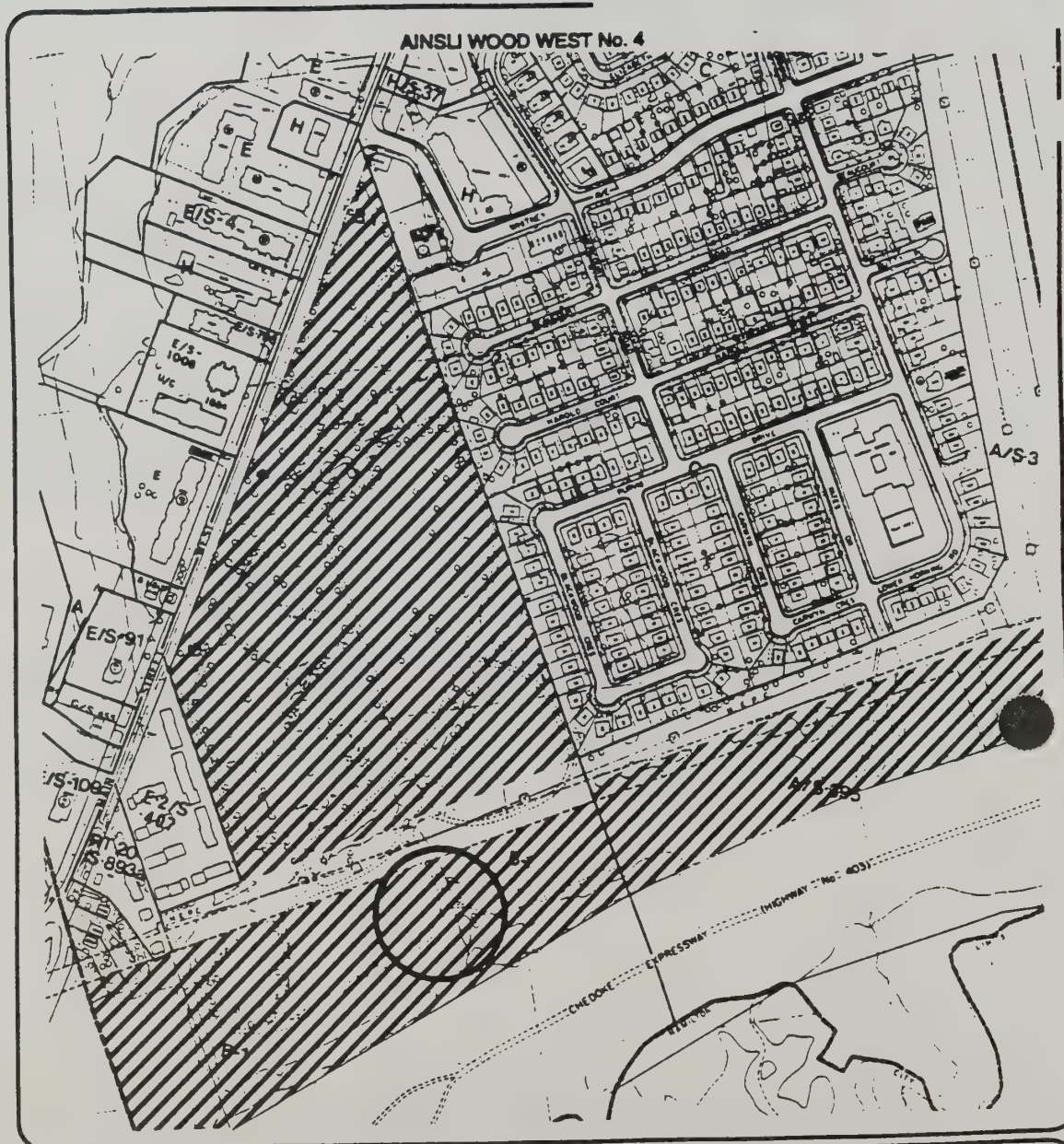
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 BUILDING ENVELOPES

 BALCONIES /SUNROOMS

North 	Scale Not to Scale Date FEB 1996	Reference File No. ZAC-93-17 Drawn By R L
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Appendix "M" referred to in
Section 6. of the **THIRD** Report of the
Planning and Development Committee
for 1996.



City of Hamilton

Plan Showing Lands Subject to
Site Plan Control
Application DA-95-34

Planning and Development Department

Legend



Site of the Application and
Location of Development

North



Scale
Not to Scale

Date
December 1995

Reference File No.
DA-95-34

Drawn By
C.M.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1.
 - (a) That the City resolve Ontario Court (General Division) Action # 7605/94 by the payment to the Plaintiff, Dale Connell, of the sum of \$2,500., inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 7605/94 be dismissed without costs.
2.
 - (a) That the City resolve Ontario Court (General Division) Action # 8839/95 by the payment to the Plaintiff, Linda Lys, of \$750., inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 8839/95 be dismissed, as against the City of Hamilton, without costs.
3. That Section 23 of the Twenty-Ninth Report for 1995 of the Finance and Administration Committee, approved by City Council at its meeting held Tuesday, 1995 December 12, be amended to delete the words "30 Sanford Avenue South" and replace in lieu thereof "555 Queenston Road, or such other building owned by the Hamilton Housing Authority as may be mutually agreed upon by the Housing Authority and the Fire Chief".
4.
 - (a) That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

- (i) 1453 Main Street East; and,
 - (ii) 1 foot Reserve, Fieldway Drive; and,
 - (b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.
5. (a) That the amendment to the International Union of Operating Engineers, Local 793, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
6. (a) That the amendment to the International Union of Bricklayers and Allied Craftsmen, Local #31B - Hamilton, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
7. (a) That the amendment to the International Union of Bricklayers and Allied Craftsmen (Bricklayers, Masons and Plasterers), Local #1 - Hamilton, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
- (b) That the Fair Wage Schedule be amended to reflect this change.
8. That the Statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1995, attached herewith and marked Appendix "A", be received by City Council.
9. (a) That an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Junior Achievement on Sunday, 1996 June 9th at Christie Conservation Area; and,

- (b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

10. (a) That \$54,780. of the Current Budget Surplus be transferred to the Reserve for Election Expense, 00123; and,
- (b) That \$50,000. of the Current Budget Surplus be transferred to the Reserve for Hosting of Special Dignitaries, 00128; and,
- (c) That \$420,000. of the Current Budget Surplus be transferred to the Reserve for Early Retirement, 00105; and,
- (d) That \$483,800. of the Current Budget Surplus, Other Capital Projects, be transferred to Reserve for Capital Projects, 00203; and,
- (e) That the balance of the Current Budget Surplus be transferred to the Reserve for Tax Stabilization, 00135; and,
- (f) For the information of members of City Council, the City's 1995 Current Budget surplus position required no draw down from the reserve allocations to the current revenue except \$600,000.
11. (a) That the City of Hamilton Licence By-law 93-069, Schedule 4, respecting Taxicabs, be amended to permit rear window advertising in Taxicabs; and,
- (b) That the City Solicitor be authorized and directed to prepare the appropriate By-law amendment.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Aldermen Kiss, Copps -2.

CARRIED.

12. (a) That the Council of the Corporation of the City of Hamilton deems the Juno Awards to be held in Hamilton on Sunday, 1996 March 10th to be an event of municipal significance City-wide; and,
- (b) That the Liquor Licence Board of Ontario be advised that City Council has no objection to a blanket approval for licensed establishments in the City of Hamilton to be approved for the sale and service of beverage alcohol to 2:00 o'clock a.m.

13. That portable signs not be permitted on the property known as Commonwealth Square, with the exception of the signboard currently in place at the corner of Summer's Lane and Main Street West, which is controlled by the Hamilton Parking Authority.

REFERRED BACK.

14. (a) That an Offer to Purchase Agreement, duly executed by Peter Zourntos on 1996 January 23, and scheduled to close within 30 days after all conditions in the Offer are fulfilled, said conditions to be fulfilled by 1996 July 31 (or at the option of the Purchaser extended to 1996 September 30), for the vacant property municipally described as 771 Queenston Road, Hamilton and legally described as Part of Lots 27 & 28, Concession 2, formerly Saltfleet Township, being Part 1, Plan 62R-4156 and Parts 2 & 3, Plan 62R-3773 (subject to easements in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas, Bell Canada and Hamilton Hydro), situated at the north-west corner of Queenston Road and Kenora Avenue with frontage on Queenston Road of 31.0 metres (101.7 feet) more or less, and flankage along Kenora Avenue of 43.27 metres (141.97 feet) more or less, containing 0.175 hectares (0.433 acres) or 1,753.55 sq. metres (18,875 sq. ft.), be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$240,000., be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
- (b) That this transaction is subject to the fulfilment of conditions to the satisfaction of the City prior to the closing, as required under the Municipal Act regarding the passing of a By-law to authorize the sale of a closed highway (portion of Kenora Ave. closed in 1977 described as Parts 2 & 3, Plan 62R-3773); and,
- (c) That if the adjacent land owner exercises its' right to purchase the abutting portion of the closed road allowance at the same unit price as the Purchaser, the site area and price of the parcel to be conveyed to the Purchaser will be reduced accordingly; and,

- (d) That a condition in the Offer and reproduced as follows, be accepted:

This Offer is conditional upon the Purchaser satisfying himself within 10 days of acceptance by the City that:

- (i) The City will permit ingress to the property from Queenston Road and egress from the property for right hand turns onto Queenston Road; and,
 - (ii) The City will permit ingress to and egress from the property from and to Kenora Avenue respectively; and,
 - (iii) Any property of the Utility which is installed or, is intended to be installed within the closed highway, shall not interfere with the Purchaser's development or use of the said closed highway; and,
- (e) That the required deposit cheque in the amount of \$23,000. be held by the City Treasurer pending Council approval; and,
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (g) That in accordance with Real Property Sales Procedural By-law No. 95-049:
- (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1995 October 16 and received on 1996 February 6; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
15. (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

130 Lancing Dr.

- (b) That the by-law to authorize the said Extension Agreement be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.

16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-9 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-10 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

17. (a) That a half-page greeting from the City of Hamilton be placed in the 1996 Provincial Federation of Ontario Firefighters Convention Program to welcome delegates to this Convention which will be held 1996 June 2 - 6 in Hamilton, at a cost not to exceed \$350; and,

- (b) That funds for this expenditure be provided from Account No. CH56302-12001 (Advertising and Promotion). **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Copps. -1.

CARRIED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 February 20**

City of Hamilton
TreasurySTATEMENT OF THE TREASURER
for the period ending December 31, 1995Appendix "A" referred
to in Section 8 of the
FOURTH Report of
the Finance and
Administration
Committee for 1996.(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) Members of Council	Salary*
Agostino, D.	\$6,620.71
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	5,438.46
Charters, R.	20,492.68
Copps, G.	20,429.68
D'Amico, F.	20,492.68
Drury, D.	20,492.68
Eisenberger, F.	20,492.68
Jackson, T.	20,492.68
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	<u>20,492.68</u>
	<u>\$385,025.53</u>

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the
Municipal Act.

b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	\$2,100.00
Serwatuk, D.	2,100.00
Begg, E.	2,100.00
Law, B.	2,100.00
Cutler, R.	<u>2,100.00</u>
	<u>\$10,500.00</u>

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1995

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 900.00
Clothier, R.	900.00
Cooper, H.	1,100.00
Gibson, D.	700.00
Green, R.	700.00
Groves, L.	700.00
Hardie, D.	1,300.00
Holms, M.	1,000.00
Kaut, H.	1,100.00
Korz, G.	1,400.00
Langdon, D.	800.00
MacIntyre, D.	1,300.00
Penko, G.	1,100.00
Reilly, M.	400.00
Taffs, R.	800.00
VanDerbeek, P.	1,800.00
Woodrow, B.	<u>600.00</u>
	<u>\$16,600.00</u>

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	\$121.10**
Agro, V. J.	161.46**
Anderson, T.	1,137.81
Caplan, M.	2,187.76
Charters, R.	5,574.58
Collins, C.	40.37**
Copps, G.	nil
D'Amico, F.	161.46**
Drury, D.	161.46**
Eisenberger, F.	161.46**
Jackson, T.	161.46**
Kiss, M.	161.46**
McCulloch, W.	1,525.73
Merling, H.	161.46**
Morelli, B.	161.46**
Morrow, R.	20,524.99
Ross, D.	2,013.88
Wilson, D.	<u>161.46**</u>
	<u>\$34,579.36</u>

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1995

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Amount
Down, G.	\$1,118.09
Rogers, P.	415.15
MacGillivray, M.	<u>204.25</u>
	<u>\$1,737.49</u>

(c) H.E.C.F.I. Appointees

Mayor R. Morrow	\$3,148.30
Alderman T. Anderson	278.30
Dow, M.	278.30
Tidball, W.	<u>407.90</u>
	<u>\$4,112.80</u>

(d) Parking Authority Appointees

Alderman V. Agro	<u>\$2,359.57</u>
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REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1996 and respectfully recommends:

1. That the Cab Driver Licence application of Randall Charles Baker, 28 Burris Street, Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN D. WILSON
CHAIRPERSON
LICENSING COMMITTEE**

Stella Glover
Secretary

1996 February 14

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That Alderman B. Morelli be appointed Chairman of the Committee of the Whole for the period of March, April and May, 1996.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1996 February 27

JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SECOND** Report for 1996 and respectfully recommends:

1. (a) That the user fees for the Culture and Recreation Department as set out in Schedules "A to J" attached, be approved.
- (b) That the City Solicitor be authorized and directed to prepare the appropriate amending by-law.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 16.

NAYS: Mayor Morrow. -1.

CARRIED.

2. (a) That the following user fees for the City Clerk's Department services and the licence fees listed on Schedule "K" attached hereto, be approved:
 - (i) Birth Letters - \$25.
 - (ii) Affidavits - \$20.
 - (iii) Licence fees for first time issuance of licences and transfers of licences be set at a fee \$50. above the recommended annual renewal licence fee to reflect the increased cost to process a first time or transfer licence application by the City Clerk's Department.
- (b) That the City Solicitor be authorized and directed to prepare the appropriate amending by-law.

3. (a) That City of Hamilton By-law No. 85-148 respecting the Control and Licensing of Dogs be amended to increase dog licence fees, as of 1996 March 1, to the following schedule:

	<u>Regular</u> <u>Senior/Disabled</u>
Unaltered	\$40.\$10.
Spayed or Neutered	\$20.\$ 5.

- (b) That the City Solicitor be authorized and directed to prepare the appropriate amending by-law.
4. That a user fee of \$94.50 each be charged for the planting of new trees on the municipal road allowance to recover purchase and installation costs.
5. (a) That the 1996 Revenue and Expenditure estimates in the amount of \$164,330,830, incorporating the changes referred to in Appendices "A"," B" and "C" for the City of Hamilton, and representing a 0% increase in the tax (mill) rate, be approved.
- (b) That the City Solicitor be authorized and directed to prepare the appropriate amending by-laws to establish the 1996 mill rate.

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan. -3.**CARRIED.**

6. (a) That the City of Hamilton's direct costs of \$36,734.25 resulting from the February 23 and 24, 1996 Days of Protest rallies and parades be charged to the organizers of this event.

- (b) That this matter be referred to the City Solicitor for collection. **ADDED.**
REFERRED TO FINANCE AND ADMINISTRATION COMMITTEE

7. (a) That the following projects be advanced and included as part of the new application to the Canada/Ontario Infrastructure Program, replacing the Co-Generation Project which was removed by Council January 9, 1996, and that the Treasurer be authorized to reduce the 1997 through 2002 Capital Forecasts by the amounts noted.

CANADA/ONTARIO INFRASTRUCTURE WORKS PROPOSED PROJECTS

Project No.	Description	Advanced From	Gross Cost	Annual Operating Cost
1)	24.2 Energy Management Project	1998	\$ 100,000	\$(20,000)
2)	24.3 Energy Management Project	1999	200,000	(40,000)
3)	24.4 Energy Management Project	2000	200,000	(40,000)
4)	16.0 City Hall - Replace Existing Chillers and Associated Equipment	1998	340,000	(30,000)
5)	83.0 Construction & Maintenance of City's Parking Lots and Pathways (Appendix "A")	Additional	100,000	0
6)	84.1 "	1997	50,000	0
7)	84.2 "	1998	50,000	0
8)	84.3 "	1999	50,000	0
9)	84.4 "	2000	50,000	0
10)	56.0 Renovate the Fire Station at Woodward and Melvin	2002	200,000	0
11)	New Construction & Maintenance of City's Parking Lots and Pathways (Appendix "B")	Additional	300,000	0
12)	New Playstructure Redevelopment	Additional	300,000	0
			<u>\$1,940,000</u>	

- (b) That the City's cost of the financing arrangements as previously report to the Committee of the Whole on 1996 January 30 being the gross cost of \$6,064,500. less Federal/Provincial share of \$4,043,000. in the amount of \$2,021,500. now be financed by the issuance of debenture amounting to \$1,654,833. and \$366,667. from the Reserve for Debt Charges and correspondingly the debenture authorization of the Co-Generation project be reduced as follows:

Description	Gross Cost	Federal/ Provincial Share	City's Share	Financing		Co-Generation Debenture Authority to be Reduced
				Debenture	Reserve for Debt Charge	
1) Energy Management Project	\$ 500,000	\$ 333,333	\$ 166,667	\$	\$ 166,667	\$ 166,667
2) City Hall - Replace Existing Chillers and Associated Equipment	340,000	226,667	113,333	113,333		113,333
3) Construction & Maintenance of City's Parking Lots and pathways (Appendix "A")	300,000	200,000	100,000		100,000	100,000
4) Renovate the Fire Station at Woodward and Melvin	200,000	133,333	66,667	66,667		66,667
5) Construction & Maintenance of City's Parking Lots and Pathways (Appendix "B")	300,000	200,000	100,000		100,000	100,000
6) Playstructure Redevelopment	300,000	200,000	100,000	100,000		100,000
	<u>\$1,940,000</u>	<u>\$1,293,333</u>	<u>\$ 646,667</u>	<u>\$ 280,000</u>	<u>\$366,667</u>	<u>\$ 646,667</u>
7) Roadway & Sidewalk Reconstruction Program (Detailed project approved by Council 1996 January 30)	<u>\$4,124,500</u>	<u>\$2,749,667</u>	<u>\$1,374,833</u>	<u>\$1,374,833</u>		<u>\$1,374,833</u>
	<u>\$6,064,500</u>	<u>\$4,043,000</u>	<u>\$2,021,500</u>	<u>\$1,654,833</u>	<u>\$366,667</u>	<u>\$2,021,500</u>

(c) That the City Solicitor be authorized to prepare the amendments to the appropriate by-law to reflect the revision of debenture authorization noted in (b) above.

(d) That the Development of a Hamilton Fire Service Master Plan be endorsed and that staff report to Committee and Council, outlining the process.

ADDED.

Respectfully submitted

Mayor R. M. Morrow, Chairman
Committee of the Whole

J. J. Schatz, Secretary
1996 February 27

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "A"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

a) RECREATION CENTRE MEMBERSHIPS:

- i) That the current membership fee structure be revised as outlined in the following chart effective 1996, June 3; and,
- ii) That the non-resident fee be rounded off to the nearest dollar.

Resident Year-round Memberships:

Family	\$70.00 to \$85.00 (\$128.00)
Single Parent Family	\$55.00 to \$65.00 (\$ 97.00)
Adult	\$55.00 to \$55.00 (\$ 82.00)
Youth	\$15.00 to \$25.00 (\$ 37.00)
Senior/Special Needs	\$15.00 to \$20.00 (\$ 30.00)
Replacement	\$ 3.00 to \$ 3.00 (\$ 4.00)

Note: G.S.T. is included in the above rates, non-resident fees in brackets.

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "B"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

a) SWIM INSTRUCTION:

- i) That user fees for learn to swim programs be increased by \$10 to set the 1996 rate at \$25 per set of lessons effective 1996 June 3; and,
- ii) That the registration fee for advanced aquatics (Bronze Medallion, Bronze Cross, Senior Resuscitation, etc.) remain at \$25.00. but that the cost of exam fees and course manuals become the responsibility of the participant.

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "C"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

CIVIC GOLF COURSES

- a) That the 1996 schedule of membership and greens fees as per attached charts be approved, and
- b) That the long range forecast for membership and green fees as per attached charts be approved in principle, subject to annual review by the Parks and Recreation Committee and Council

HAMILTON CIVIC GOLF COURSES 3 YEAR PROPOSED RATES AND FEES

27-Feb-96

INDIVIDUAL COURSE OPTIONS

CHEDOKE – MARTIN

	'95 Beddoe/Martin	'96 Martin only	97 Martin only	'98 Martin only
ADULT	\$645	\$645	\$645	\$645
ADULT – non resident	\$745	\$745	\$745	\$745
COUPLES	\$1,200	\$1,190	\$1,190	\$1,190
COUPLES – non resident	\$1,300	\$1,290	\$1,290	\$1,290
FAMILY	\$1,325	\$1,340	\$1,340	\$1,340
FAMILY – non resident	\$1,425	\$1,440	\$1,440	\$1,440
JUNIOR	\$235	\$150	\$150	\$150
JUNIOR – non resident	\$335	\$250	\$250	\$250
INTERMEDIATE	\$430	\$400	\$400	\$400
INTERMEDIATE – non resident	\$530	\$500	\$500	\$500
PENSIONER	\$430	\$430	\$430	\$430
PENSIONER – non resident	\$530	\$530	\$530	\$530
WEEKDAY ONLY (5 DAYS)	\$430	\$430	\$430	\$430
WEEKDAY ONLY – non resident	\$530	\$530	\$530	\$530

CHEDOKE – BEDDOE

	'95 Beddoe/Martin	'96 Beddoe only	97 Beddoe only	'98 Beddoe only
ADULT	\$645	\$750	\$850	\$900
ADULT – non resident	\$745	\$850	\$950	\$1,000
COUPLES	\$1,200	\$1,400	\$1,600	\$1,700
COUPLES – non resident	\$1,300	\$1,500	\$1,700	\$1,800
FAMILY	\$1,325	\$1,775	\$2,025	\$2,150
FAMILY – non resident	\$1,425	\$1,875	\$2,125	\$2,250
JUNIOR	\$235	\$375	\$425	\$450
JUNIOR – non resident	\$335	\$475	\$525	\$550
INTERMEDIATE	\$430	\$450	\$510	\$540
INTERMEDIATE – non resident	\$530	\$550	\$610	\$640
PENSIONER	\$430	\$525	\$595	\$630
PENSIONER – non resident	\$530	\$625	\$695	\$730
WEEKDAY ONLY (5 DAYS)	\$430	\$525	\$595	\$630
WEEKDAY ONLY – non resident	\$530	\$625	\$695	\$730

KINGS FOREST

	1995	1996	1997	1998
ADULT	\$750	\$850	\$950	\$1,050
ADULT – non resident	\$850	\$950	\$1,050	\$1,150
COUPLES	\$1,360	\$1,600	\$1,800	\$2,000
COUPLES – non resident	\$1,460	\$1,700	\$1,900	\$2,100
FAMILY	\$1,500	\$2,025	\$2,275	\$2,525
FAMILY – non resident	\$1,600	\$2,125	\$2,375	\$2,625
JUNIOR	\$305	\$425	\$475	\$525
JUNIOR – non resident	\$405	\$525	\$575	\$625
INTERMEDIATE	\$450	\$510	\$570	\$630
INTERMEDIATE – non resident	\$550	\$610	\$670	\$730
PENSIONER	\$450	\$595	\$665	\$735
PENSIONER – non resident	\$550	\$695	\$765	\$835
WEEKDAY ONLY (5 DAYS)	\$450	\$595	\$665	\$735
WEEKDAY ONLY – non resident	\$550	\$695	\$765	\$835

DUAL-COURSE OPTIONS

CHEDOKE - Beddoe/Martin

	1995	1996	1997	1998
ADULT	\$645	\$780	\$900	\$1,050
ADULT - non resident	\$745	\$880	\$1,000	\$1,150
COUPLES	\$1,200	\$1,480	\$1,700	\$2,000
COUPLES - non resident	\$1,300	\$1,560	\$1,800	\$2,100
FAMILY	\$1,325	\$1,850	\$2,150	\$2,525
FAMILY - non resident	\$1,425	\$1,950	\$2,250	\$2,625
JUNIOR	\$235	\$390	\$450	\$525
JUNIOR - non resident	\$335	\$490	\$550	\$625
INTERMEDIATE	\$430	\$468	\$540	\$630
INTERMEDIATE - non resident	\$530	\$568	\$640	\$730
PENSIONER	\$430	\$546	\$630	\$735
PENSIONER - non resident	\$530	\$646	\$730	\$835
WEEKDAY ONLY (5 DAYS)	\$430	\$546	\$630	\$735
WEEKDAY ONLY - non resident	\$530	\$646	\$730	\$835

MULTI-COURSE OPTION

CITY WIDE MEMBERSHIP

	N/A	1996	1997	1998
ADULT		\$950	\$1,050	\$1,150
ADULT - non resident		\$1,050	\$1,150	\$1,250
COUPLES		\$1,800	\$2,000	\$2,200
COUPLES - non resident		\$1,900	\$2,100	\$2,300
FAMILY		\$2,275	\$2,525	\$2,775
FAMILY - non resident		\$2,375	\$2,625	\$2,875
JUNIOR		\$475	\$525	\$575
JUNIOR - non resident		\$575	\$625	\$675
INTERMEDIATE		\$570	\$630	\$690
INTERMEDIATE - non resident		\$670	\$730	\$790
PENSIONER		\$665	\$735	\$805
PENSIONER - non resident		\$765	\$835	\$905
WEEKDAY ONLY (5 DAYS)		\$665	\$735	\$805
WEEKDAY ONLY - non resident		\$765	\$835	\$905

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "D"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

ARENA RENTALS

WINTER		1995 RATE	PROPOSED 1996 RATE
Recreational House League Hockey		\$ 45	\$ 55
Hub Hockey		\$ 53	\$ 63
Rep. Hockey		\$ 60	\$ 70
Ringette		\$ 45 \$53	\$ 55 \$63 (Select)
Sledge Hockey		\$ 45	\$ 45
Can Skate/Figure Skating Clubs		\$ 80	\$ 80
Power Skating		\$ 80	\$135
Private Rentals:	Prime Time	\$130	\$135
	Non-Prime	\$ 85	\$ 90
Department Affiliated Youth Organ.		\$ 80	\$ 85
Tournament:	Youth	\$ 70	\$ 80
	Adult	\$130	\$135
SUMMER SURFACE (Non-Ice)			
Men's Ball Hockey:	Youth	\$ 30	\$ 35
	Adult	\$ 45	\$ 50
In-Line Skating:	Youth	\$ 30	\$ 35
	Adult	\$ 45	\$ 50
Lacrosse:	Youth	\$ 30	\$ 35
	Select	\$ 30	\$ 45
Tournament:		\$ 50	\$ 60
SUMMER ICE:	Youth	\$100	\$106
	Adult	\$150	\$155
SUMMER ICE TOURNAMENT:			
	Youth	\$100	\$106
	Adult	\$150	\$155

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "E"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

SPORTS FIELD RENTALS

Hamilton Department of Culture and Recreation
USER FEE CHART – 1996 Proposed Rates & Fees

MINOR SPORTS FACILITIES

GAME/PRACTICE	FLAT RATE PER DAY (plus applicable taxes)			
	WEEKDAY	WEEKEND Sat or Sun	WEEKEND Sat or Sun – more than six hours	MAXIMUM per field per season
	ADULT YOUTH	\$11.00 \$2.25	\$11.00 \$2.25	\$840.00 \$140.00

TOURNAMENTS

Deposit will only be refunded if written notice of cancellation is received more than two weeks prior to date of tournament.

ADULT	\$100.00
YOUTH	\$50.00

TOURNAMENTS WITH LIQUOR

Liquor Approval Processing Fee	\$100.00	non-refundable
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Hamilton Department of Culture and Recreation
USER FEE CHART - Proposed Rates & Fees

Major Facilities - Baseball

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
SEMI PRO	\$26.00	\$26.00	\$26.00	\$26.00	\$26.00
ADULT	\$22.00	\$24.00	\$26.00	\$26.00	\$26.00
YOUTH	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
Bd of Education	\$13.00	\$13.50	\$13.50	\$13.50	\$13.50
LIGHTS (per/hr)					
SEMI PRO	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
ADULT	\$3.70	\$7.40	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

GAME Ticket/Spectators/Tournaments

* 1996 Tournaments at Globe Park will have a \$750.00 cap/per date.

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
SEMI PRO	\$62.00	\$62.00	\$62.00	\$62.00	\$62.00
ADULT	\$25.00	\$34.25	\$43.50	\$53.00	\$62.00
YOUTH	\$15.00	\$23.00	\$31.00	\$31.00	\$31.00
Bd of Education	\$31.00	\$31.00	\$31.00	\$31.00	\$31.00
LIGHTS (per/hr)					
SEMI PRO	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
ADULT	\$3.70	\$7.40	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

Major Facilities - Soccer/Football

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
SEMI PRO	\$27.00	\$27.00	\$27.00	\$27.00	\$27.00
ADULT	\$22.50	\$25.00	\$27.00	\$27.00	\$27.00
YOUTH	\$13.50	\$13.50	\$13.50	\$13.50	\$13.50
Bd of Education	\$13.50	\$13.50	\$13.50	\$13.50	\$13.50
LIGHTS (per/hr)					
SEMI PRO	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
ADULT	\$3.70	\$7.40	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

GAME Ticket/Spectators/Tournaments

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
SEMI PRO	\$66.00	\$66.00	\$66.00	\$66.00	\$66.00
ADULT	\$27.00	\$36.75	\$46.50	\$56.25	\$66.00
YOUTH	\$16.00	\$24.00	\$33.00	\$33.00	\$33.00
Bd of Education	\$33.00	\$33.00	\$33.00	\$33.00	\$33.00
LIGHTS (per/hr)					
SEMI PRO	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
ADULT	\$3.70	\$7.40	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

Major Facilities – Bernie Arbour Stadium

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
SEMI PRO	\$53.00	\$53.00	\$53.00	\$53.00	\$53.00
ADULT	\$25.00	\$40.00	\$53.00	\$53.00	\$53.00
YOUTH	\$15.00	\$21.00	\$26.50	\$26.50	\$26.50
Bd of Education	\$26.50	\$26.50	\$26.50	\$26.50	\$26.50
LIGHTS (per/hr)					
SEMI PRO	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
ADULT	\$3.70	\$7.40	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

GAME Ticket/Specialists/Tournaments	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
SEMI PRO	\$95.00	\$95.00	\$95.00	\$95.00	\$95.00
ADULT	\$31.50	\$63.00	\$95.00	\$95.00	\$95.00
YOUTH	\$15.75	\$32.00	\$47.50	\$47.50	\$47.50
Bd of Education	\$47.50	\$47.50	\$47.50	\$47.50	\$47.50
LIGHTS (per/hr)					
SEMI PRO	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
ADULT	\$3.70	\$7.40	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

Major Facilities – Track & Field

ACTIVITIES	RATE/per hour (lights are extra, plus applicable taxes)				
	1996	1997	1998	1999	2000
ADULT	\$19.00	\$19.00	\$19.00	\$19.00	\$19.00
YOUTH	\$9.50	\$9.50	\$9.50	\$9.50	\$9.50
Bd of Education	\$9.50	\$9.50	\$9.50	\$9.50	\$9.50
LIGHTS (per/hr)					
ADULT	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00
YOUTH	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

** National/Provincial Tournaments – FEE NEGOTIABLE

NON-RESIDENT USER FEE CHART - Proposed Rates & Fees**Major Facilities - Baseball**

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1999	2000	
SEMI PRO	\$39.00	\$39.00	\$39.00	\$39.00	\$39.00	\$39.00
ADULT	\$33.00	\$36.00	\$39.00	\$39.00	\$39.00	\$39.00
YOUTH	\$19.50	\$19.50	\$19.50	\$19.50	\$19.50	\$19.50
Bd of Education	\$19.50	\$20.25	\$20.25	\$20.25	\$20.25	\$20.25
LIGHTS (per/hr)						
SEMI PRO	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
ADULT	\$5.55	\$11.10	\$16.50	\$16.50	\$16.50	\$16.50
YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

GAME Ticket/Spectators/Tournaments

* 1996 Tournaments at Globe Park will have a \$1,125.00 cap/per date.

LIGHTS (per/hr)	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1999	2000	
SEMI PRO	\$93.00	\$93.00	\$93.00	\$93.00	\$93.00	\$93.00
ADULT	\$37.50	\$51.38	\$65.25	\$79.50	\$93.00	\$93.00
YOUTH	\$22.50	\$34.50	\$46.50	\$46.50	\$46.50	\$46.50
Bd of Education	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50	\$46.50
SEMI PRO	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
ADULT	\$5.55	\$11.10	\$16.50	\$16.50	\$16.50	\$16.50
YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

Major Facilities - Soccer/Football

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1999	2000	
SEMI PRO	\$40.50	\$40.50	\$40.50	\$40.50	\$40.50	\$40.50
ADULT	\$33.75	\$37.50	\$40.50	\$40.50	\$40.50	\$40.50
YOUTH	\$20.25	\$20.25	\$20.25	\$20.25	\$20.25	\$20.25
Bd of Education	\$20.25	\$20.25	\$20.25	\$20.25	\$20.25	\$20.25
LIGHTS (per/hr)						
SEMI PRO	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
ADULT	\$5.55	\$11.10	\$16.50	\$16.50	\$16.50	\$16.50
YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

GAME Ticket/Spectators/Tournaments

LIGHTS (per/hr)	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1999	2000	
SEMI PRO	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00	\$99.00
ADULT	\$40.50	\$55.13	\$69.75	\$84.38	\$99.00	\$99.00
YOUTH	\$24.00	\$36.00	\$49.50	\$49.50	\$49.50	\$49.50
Bd of Education	\$49.50	\$49.50	\$49.50	\$49.50	\$49.50	\$49.50
SEMI PRO	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
ADULT	\$5.55	\$11.10	\$16.50	\$16.50	\$16.50	\$16.50
YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

Major Facilities – Bernie Abour Stadium

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1999	2000	
	SEMI PRO	\$79.50	\$79.50	\$79.50	\$79.50	\$79.50
	ADULT	\$37.50	\$60.00	\$79.50	\$79.50	\$79.50
	YOUTH	\$22.50	\$31.50	\$39.75	\$39.75	\$39.75
	Bd of Education	\$39.75	\$39.75	\$39.75	\$39.75	\$39.75
	SEMI PRO	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
LIGHTS (per/hr)	ADULT	\$5.55	\$11.10	\$16.50	\$16.50	\$16.50
	YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

GAME Ticket/Specialists/Tournaments	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1998	1998	1998
	SEMI PRO	\$142.50	\$142.50	\$142.50	\$142.50	\$142.50
	ADULT	\$47.25	\$94.50	\$142.50	\$142.50	\$142.50
	YOUTH	\$23.63	\$48.00	\$71.25	\$71.25	\$71.25
	Bd of Education	\$71.25	\$71.25	\$71.25	\$71.25	\$71.25
	SEMI PRO	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
LIGHTS (per/hr)	ADULT	\$5.55	\$11.10	\$16.50	\$16.50	\$16.50
	YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

Major Facilities – Track & Field

GAME/PRACTICE	RATE/per hour (lights are extra, plus applicable taxes)					
	1996	1997	1998	1998	1998	1998
	ADULT	\$28.50	\$28.50	\$28.50	\$28.50	\$28.50
	YOUTH	\$14.25	\$14.25	\$14.25	\$14.25	\$14.25
	Bd of Education	\$14.25	\$14.25	\$14.25	\$14.25	\$14.25
	ADULT	\$16.50	\$16.50	\$16.50	\$16.50	\$16.50
	YOUTH	\$8.25	\$8.25	\$8.25	\$8.25	\$8.25

** National/Provincial Tournaments – FEE NEGOTIABLE

**Hamilton Department of Culture and Recreation
USER FEE CHART - 1996 Proposed Rates & Fees**

Ivor Wynne Stadium		RATE/per hour (lights are extra, plus applicable taxes)	
GAME/PRACTICE No Spectators	SEMI PRO	Resident	Non - Resident
	ADULT	\$84.11	\$126.17
	YOUTH	\$56.07	\$84.11
	YOUTH	\$28.04	\$42.06
LIGHTS (per/hr) Rate applies to all groups	2 Banks	\$6.28	\$9.42
	4 Banks	\$12.56	\$18.84
	8 Banks	\$25.12	\$37.68

GAME Ticket/Spectators/Tournaments		RATE/per hour (lights are extra, plus applicable taxes)	
SEMI PRO	Resident	Non - Resident	
	\$235.33	\$353.00	
	\$70.09	\$105.14	
	\$44.53	\$66.80	
LIGHTS (per/hr) Rate applies to all groups	2 Banks	\$6.28	\$9.42
	4 Banks	\$12.56	\$18.84
	8 Banks	\$25.12	\$37.68

Board of Education		RATE/per hour (lights are extra, plus applicable taxes)	
LIGHTS (per/hr) Rate applies to all groups	Game	Resident	Non - Resident
		\$63.08	\$253.94
	2 Banks	\$6.28	\$9.42
	4 Banks	\$12.56	\$18.84
	8 Banks	\$25.12	\$37.68

Special Events & Professional Sporting Activities (negotiable, currently under review)

Additional Amenities

	Flat Fee/per date
Scoreboard Rental (operator not included)	\$200.00
Sound System Rental (operator not included)	\$200.00
Television Network Hook-up (CBC, TSN, etc...)	\$450.00
Television System Hook-up (Cable)	\$150.00

HOLIDAY RATES are standard group rate for the facility, plus attendant(s) overtime wages.

Hamilton Department of Culture and Recreation
USER FEE CHART - 1996 Proposed Rates & Fees

CHEDOKE WINTER SPORTS PARK

RATE/per date	
TOW FEES - 1/2 day	ADULT
	YOUTH
	Resident
	\$15.00
	\$13.00

RATE/per date	
TOW FEES - Full Day	ADULT
	YOUTH
	Resident
	\$18.00
	\$15.00

RATE/per date	
SKI PACKAGES (packages of 10)	ADULT
	YOUTH
	Resident
	\$162.00
	\$135.00

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "F"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

a) CAMP KIDACA (Beach Strip Only):

That the registration fee for the Beach Strip location of Camp Kidaca be increased as follows, effective 1996 May 1:

From \$35. to \$45. for the four day week with a statutory holiday; and
from \$40. to 55. for all other weeks.

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "G"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

a) ROWING PROGRAM:

That the registration fee for the Rowing Program be increased from \$50. to \$60. effective 1996 June 3.

DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "H"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

a) GENERAL PUBLIC/CASUAL VISITOR ADMISSION

- i) That the current general public/casual visitor admission structure be revised as outlined in the following chart effective 1996, March 1 except for Children's Museum Membership increase which will be considered at their Annual General Meeting to be held in April 1996.

DUNDURN

(Combined Military Museum Ticket)

Service Category	Current Fee	Proposed Fee
Adult	4.70	5.40
Senior	3.40	5.00
Student	3.40	4.60
Child	1.90	2.25
Family	14.10	14.30

MILITARY

(Combined Dundurn Castle Ticket)

Adult	.30	.60
Senior	.10	.50
Student	.10	.40
Child	.10	.25
Family	.90	1.70

Note with combined tickets Dundurn pays the G.S.T.

MILITARY

(sold at door - not combined)

Adult	1.75	2.00
Senior	1.50	1.75
Student	1.50	1.75
Child	1.25	1.50
Family	_____	_____

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STEAM MUSEUM

Service Category	Current Fee	Proposed Fee
Adult	2.50	3.50
Senior	2.00	3.00
Student	2.00	2.50
Child	1.50	2.00
Family	N/A	10.00

WHITEHERN

Adult	2.50	3.50
Senior	2.00	3.00
Student	2.00	2.50
Child	1.50	2.00
Family	N/A	10.00

CHILDREN'S

Adult	N/A	N/A
Senior	N/A	N/A
Student	N/A	N/A
Child	2.25	2.50
Membership	5.00	10.00

Note: G.S.T. is included in the above rates.

Family rates for the Military Museum, Steam Museum and Whitehern are a new admission category.

b) EDUCATIONAL PROGRAMMES - CHILDRENS

DUNDURN

Life of a Servant	5.00	5.00
Sesquicentennial	2.50	2.50
Burlington Heights	4.00	4.00
Education Tour (15+)	1.80	2.25
Badge	5.00	5.00

MILITARY

Education Tour	1.75	2.00
Education Program	3.50	4.00
Education Tour (>20)	1.55	1.80
Education Student	1.90	2.15*

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b) EDUCATIONAL PROGRAMMES - CHILDRENS

STEAM			
	Education Tour	1.60/1.75**	2.00
WHITEHERN			
	Education Tour	1.60/1.75**	2.00
	Bookbinding	5.00	5.00
	Badge	4.00	4.00
CHILDREN'S			
	Sesquicentennial	2.25	2.25

*Note: This is the only category where GST applies because the program is designed to exclusively for children over 14 years of age.

**Note:Rate depends on size of group.

c) GROUPS - COMMUNITY, TRAVEL TRADE AND SPECIALTY EDUCATION

DUNDURN			
	Adult	4.50	5.40
	Senior	3.25	4.50
	Student	3.75	4.00
	Child	2.00	2.25
MILITARY			
	Adult	1.60	1.80
	Senior	1.35	1.55
	Student	1.35	1.55
	Child	1.15	1.35
STEAM			
	Adult	2.25	3.00
	Senior	1.80	3.00
	Student	1.80	2.00
WHITEHERN			
	Adult	2.25	3.00
	Senior	1.80	3.00
	Student	1.80	2.00
CHILDREN'S			
	Adult	NIL	NIL
	Senior	NIL	NIL
	Student	NIL	NIL

d) SPECIAL PROGRAMMES

DUNDURN CASTLE

Candlelight Tour	10.00	12.00
Fashion Show	6.00	12.00
Collectors Tour	6.50	8.00
Lectures	4.00	10.00

STEAM

Steam & Gas	3.00	4.00
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WHITEHERN

Collectors Tour	5.00	7.00
Lectures	7.00	7.50

CHILDREN'S

Workshop	3.00	4.50
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DEPARTMENT OF CULTURE AND RECREATION

SCHEDULE "I"

SUMMARY OF PROPOSED USER FEE INCREASES FOR 1996

a) SUMMER RECREATION CENTRE MEMBERSHIPS:

- i) That the current membership fee structure be revised as outlined in the following chart effective 1996, June 3; and,
- ii) That the non-resident fee be rounded off to the nearest dollar.

Summer Memberships:

Family	\$40.00 to \$45.00 (\$67.00)
Single Parent Parent	\$30.00 to \$35.00 (\$52.00)
Adult	\$25.00 to \$30.00 (\$45.00)
Youth	\$10.00 to \$15.00 (\$22.00)
Senior/Special Needs	\$ 8.00 to \$10.00 (\$15.00)
Replacement	\$ 1.50 to \$ 2.00 (\$ 3.00)

Note: G.S.T. is included in the above rates, non-resident fees in brackets.

Department of Culture and Recreation

SCHEDULE "J"**USER FEE SCHEDULE FOR SWIMMING POOL RENTALS
1996**

That the User Fee Structure groups using indoor pools be revised as outlined in the following chart effective 1996, September 2.

Indoor Pool Rentals: (General Public / Occasional)

Non-prime time (Weekdays opening to 4:30 PM):	\$50. per hour
Prime time (Weekdays 4:30 PM - closing, all weekend hours):	\$85. per hour

Indoor Pool Rentals: (Clubs and Weekly Use Groups)

Youth:	\$10. per hr. for 1996	A \$10. per hour increase per year to be implemented over a five year period to reach the proposed fee of \$50. per hour.
Adult:	\$30. per hr. for 1996	A yearly increase may be applied based on market conditions

- * The above rates include two lifeguards. A rate of \$20. per hour will be applied to each additional lifeguard as required.
- * Existing rates for hot pool rentals and fees for the slide at Huntington Park are to remain the same.
- * G.S.T. is included in the above fees.

Schedule "K" as referred
to in Section 2(a) of the
SECOND Report of the Committee
of the Whole for 1996.

LICENCE CATEGORY	Proposed Fee
Establishment	
Garage/Service Station	135.
Foodshop	135.
Restaurant	135.
Restaurant-take out	135.
Second Hand Shop	135.
Pawnbroker	135.
2nd Level Lodging House	135.
Bakeshop	135.
Lunch Counter	135.
Public Halls	135.
Roller Skating Rink	135.
Bingo Parlour	135.
Bowling Alley	135.
Theatre	135.
Tobacco	135.
Ordinary Lodging House	135.
Salvage Yard	135.
Amusement Machines	135.
Fish Shop	135.
Butcher Shop	135.
Billiards	135.
Old Gold Dealer	135.
Flea Market Owner	135.

LICENCE CATEGORY	Proposed Fee
Mobile	
Bill Distributor	185.
Bill Poster	185.
Foot Pedlar	185.
Tow Truck	185.
Tow Truck Driver	185.
Building Exterior Cleaner	185.
Cartage Vehicle	185.
Refreshment Vehicle	185.

The Corporation of the City of Hamilton
**1996 Budget Adjustment Packages Recommended by the Committee of the Whole February 15, 1996
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Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V)	A/B/C	Target
1 Bldg		BLD1	Issue permit & inspect new water sewer serv.	26,250	35,000			A&B	
2 Bldg		BLD2	Restructure Customer Service Division	26,220	26,220	1.0	v-1,f-9	A	
3 Bldg		BLD3	Transfer Land Division function back to City	25,000	25,000	-0.5		A&B	
4 Bldg		BLD4	Restructure Loan Application function into Customer Service	38,530	38,530	1.0	v-2,f-2	A	
5 Bldg		BLD5	Restructure Field Services Division	10,800	12,960			A	
6 Bldg		BLD6	Adjustment - Revenues & Staff levels	144,040	144,040	6.0	v-6	C	
				<u>270,840</u>	<u>281,750</u>	<u>7.5</u>			<u>251,190</u>
7 Clerks		CLRK1	Postage - Administrative Division	6,500	6,500			B	
8 Clerks		CLRK3	Reduce rent - photocopiers account - Print&Mail Section	50,000	50,000			A	
				<u>56,500</u>	<u>56,500</u>	<u>0.0</u>			<u>158,340</u>
9 Culture&Rec.		CRRE4	Reduce Casual Staffing Levels - Recreation Centres	100,000	114,830	3.0	f - P.T.	A	
10 Culture&Rec		CRRE12	Departmental Reorganization	80,000	169,200	3.0	f	C	
				<u>180,000</u>	<u>284,030</u>	<u>6.0</u>			<u>1,047,370</u>
11 Fire		FIRE1	Reduction of Staff	400,000	400,000	8.0	v	C	
				<u>400,000</u>	<u>400,000</u>	<u>8.0</u>			<u>1,723,740</u>
12 Human ResourceHRC1			Elimination of HR's portion of Disaster Recovery Plan	28,610	28,610			A	
13 Human ResourceHRC2			Eliminate Safety promotions budget/reduce various line item accs	7,500	7,500	1.0	f-0.5/0.5	A	
14 Human ResourceHRC3			Reduction of Staff		44,450	0.5	f-0.5	A	
15 Human ResourceHRC4			Reduction of Staff	36,110	105,080	1.5		C	
				<u>36,110</u>	<u>105,080</u>	<u>1.5</u>			<u>101,670</u>
16 Information Sys		INFO1	Reduction of staff	77,000	77,000	1.0	v	A	
17 Information Sys		INFO2	Reduction or elimination of software packages and/or maintenance	67,410	67,410			A	
18 Information Sys		INFO3	Lease/purchase used computer equipment	42,000	42,000			A	
19 Information Sys		INFO4	Postpone Disaster Recovery Project for alternate processing site	22,000	22,000			A	
20 Information Sys		INFO5	Reduce staff training	10,000	10,000			A	
21 Information Sys		INFO6	Reduction of staff	14,000	14,000			C	
				<u>232,410</u>	<u>232,410</u>	<u>1.0</u>			<u>214,100</u>

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Appendix "A" as referred to in
 Section 5 of the Second Report
 of the Committee of the Whole for 1996.

The Corporation of the City of Hamilton
1996 Budget Adjustment Packages Recommended by the Committee of the Whole February 15, 1996
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Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V)	A/B/C	Target
22 Law	LAW1		Reduction of staff	42,700	42,700	1.0	V	C	
23 Law	LAW3		Reduce outside agencies	10,000	10,000			C	86,820
				<u>52,700</u>	<u>52,700</u>	<u>1.0</u>			
24 Planning&Dev.	P&D1		Reduction of Staff - PREVIOUSLY APPROVED	50,240	50,240	1.0	V	A&C	
25 Planning&Dev.	P&D1		Capitalization of work related to Official Plan	41,360	41,360			C	
				<u>91,600</u>	<u>91,600</u>	<u>1.0</u>			<u>93,120</u>
26 Property	PROP1		Reduction of Staff - PREVIOUSLY APPROVED	36,020	36,020	1.0	V	C	
27 Property	PROP1		Cancel Subscription (Teela - market sales data)	2,400	3,200			C	
28 Property	PROP2		Eliminate allowance for Special Events (City Hall)	4,000	5,000			C	
29 Property	PROP3		Reduce caretaking services by 50%(KingSt. Pedestrian Overpass)	2,700	3,600			C	
30 Property	PROP5		Replace the use of contract services for annual Winter Maintenance	6,920	6,920			C	
31 Property	PROP8		Eliminate contract cleaning services - various locations	28,840	38,450			C	
32 Property	PROP9		Eliminate refrigeration contract services - Farmers' Market	9,270	12,360			B	
33 Property	PROP10A		Reduce window cleaning - City Hall	2,200	2,200			C	
34 Property	PROP12		Reduce allowance - concrete/railing repairs for City Hall by 43%	15,000	15,000			C	
35 Property	PROP13A		Reduce general building repairs program by 7.8%	<u>58,570</u>	<u>78,090</u>			C	
				<u>165,920</u>	<u>200,840</u>	<u>1.0</u>			<u>530,940</u>
36 PW/Traffic	PW-T47,46		Reduction of Staff - PREVIOUSLY APPROVED	222,500	222,500	3.0	V	A	
37 PW/Traffic	PW-P14		Reduction 10% funding Parks Maintenance	129,000	129,000	2.0	V	C	
38 PW/Traffic	PW-P18		Reduction to Rental of Equipment	76,000	76,000			C	
39 PW/Traffic	PW-S48		Traffic Islands Floral Gardens - sponsorship	50,000	50,000			A	
40 PW/Traffic	PW-S49		Street Lighting - Hydro Charges	85,100	85,100			B	
41 PW/Traffic	PW-S24		Reduction to Rental of Equipment - Forestry	50,000	50,000			A	
42 PW/Traffic	PW-S27		Eliminate Winter start up costs	65,600	65,600			B	
43 PW/Traffic	PW-S26		Training reduction	20,000	20,000			B	
44 PW/Traffic	PW-P15		Reduction to Defensive Driver Training Program	3,000	3,000			B	
45 PW/Traffic	PW-P16		Reduction Blood Donors Promotion Program	1,500	1,500			B	
46 PW/Traffic	PW-P17		Reduce Literacy Training Program	12,000	12,000			B	
47 PW/Traffic	PW-S25		Staff reduction Noise Control/Barking Dog	12,000	12,000			A	
48 PW/Traffic	PW-S23		Reduction of staff	66,840	66,840	1.0	V	A	
49 PW/Traffic	PW-S22		Elimination Supervisory Chargeback	50,000	50,000			A	

The Corporation of the City of Hamilton
**1996 Budget Adjustment Packages Recommended by the Committee of the Whole February 15, 1996
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Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V)	A/B/C	Target
50 PW/Traffic	PW-S21		Unit Reduction - Sanitation	140,000	140,000			A	
51 PW/Traffic	PW-P20		Reduction fleet operating costs	200,000	200,000			A	
52 PW/Traffic	PW-P19		Salary Base Reduction for Sanitation	300,000	300,000	4.0	V-4	A	
53 PW/Traffic	PW-P9		Eliminate tree watering	13,740	13,740			B	
54 PW/Traffic	PW-P8		Reduce general administration	1,180	1,180			B	
55 PW/Traffic	PW-C6		Reduction of staff	9,200	9,200	1.0	V	B	
56 PW/Traffic	PW-C5		Reduction of staff	42,700	42,700	1.0	V	B	
57 PW/Traffic	PW-C4		Reduction of staff	42,700	42,700	1.0	V	B	
58 PW/Traffic	PW-C3		Eliminate contractual grass cutting	9,000	9,000			C	
59 PW/Traffic	PW-C2		Reduction fleet services rental	5,000	5,000			B	
60 PW/Traffic	PW-C1		Reduction of staff	42,270	42,270	1.0	V	B	
61 PW/Traffic	PW-T31A		Reduction in allocation - new and maintenance of signs	20,000	20,000	0.2	V	C	
				<u>1,669,330</u>	<u>1,669,330</u>	<u>14.2</u>			<u>2,079,360</u>
62 Treasury			Reduction of Staff - PREVIOUSLY APPROVED	71,710	71,710	1.0	V	A	
63 Treasury	TRSY1		Re-organization of the Revenue Division / Bailiff Program	55,000	110,000	0.0		A&B	
				<u>126,710</u>	<u>181,710</u>	<u>1.0</u>			<u>187,260</u>
64 Library	HPL2		Voluntary Christmas Closure	40,000	40,000			C	
65 Library	HPL3		Reduction of staff	81,670	140,000	3.0	f	A	
66 Library	HPL4		Gapping for sick leave & unpaid leave of absences	130,000	130,000			A	
67 Library	HPL5		Reduction of staff	14,110	24,190	0.5	f	A	
68 Library	HPL6		Reduction of staff	43,660	43,660	1.0	f	A	
69 Library	HPL7		Reorganizational procedures and changes	222,800	222,800			A	
70 Library	HPL8		Reduction of staff	85,000	85,000	1.0	V	A	
				<u>617,240</u>	<u>685,650</u>	<u>5.5</u>			<u>804,310</u>

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**1996 Budget Adjustment Packages Recommended by the Committee of the Whole February 15, 1996
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Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V)	A/B/C	Target
71	HECFI	HECFI1	Reduction in Marketing and Promotion	33,450	33,450			C	
72	HECFI	HECFI2	Reduction of temporary staff	17,710	17,710	1.0	v	C	
73	HECFI	HECFI3	Reduction of staff	72,420	72,420	1.0	v	C	
74	HECFI	HECFI4	Elimination of contractual increase for cleaning Cops	4,950	4,950			A	
75	HECFI	HECFI5	Reduction in outside Legal	8,000	8,000			C	
76	HECFI	HECFI6	Utilization of less sophisticated photocopiers	6,000	6,000			A	
				<u>142,530</u>	<u>142,530</u>	<u>2.0</u>			<u>131,890</u>
<i>Total Packages Recommended by the Committee of the Whole</i>				<u>4,041,890</u>	<u>4,384,130</u>	<u>49.7</u>			<u>7,410,110</u>
<i>Less Packages Previously Approved and Included in Maintenance Budgets</i>				(380,470)	(380,470)	-6.0			
<i>Total Packages Recommended Affecting the Mill Rate</i>				<u>3,661,420</u>	<u>4,003,660</u>	<u>43.7</u>			

28-Feb-96 10:13 AM

The Corporation of the City of Hamilton
1996 Budget Adjustment Packages Deferred to February 27
for Consideration and Approved by City Council February 27, 1996

Appendix "B" as referred to in
 Section 5 of the Second Report
 of the Committee of the Whole for 1996.

Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V)	A/B/C
1 Clerks	CLRK2		* Increase Affidavit User Fee	10,000 *	10,000 *			B
2 Clerks	CLRK4		* Institute a Licence Application processing user fee	46,000 *	55,000 *			B
3 Clerks	CLRK5		* Increase all licence fees - new & transfer licences	30,000 *	40,000 *			B
				<u>86,000</u>	<u>105,000</u>	<u>0.0</u>		
4 Culture&Rec.	CRRE1		* Increase Recreation Centre Memberships	53,000 *	106,400 *			A
5 Culture&Rec.	CRRE2		* Increase Swim Instruction Fees	175,000 *	250,000 *			A
6 Culture&Rec.	CRRE3		* Increase Golf Fees	200,000 *	200,000 *			A
7 Culture&Rec.	CRRE5		* Increase Arena Rental Rates	75,000 *	124,500 *			A
8 Culture&Rec.	CRRE6		* Increase Sports Field Rentals	20,000 *	50,000 *			A
9 Culture&Rec.	CRRE7		* Increase Camp Rates - Beach Strip	3,200 *	3,200 *			A
10 Culture&Rec.	CRRE8		* Increase Rowing Fees	1,200 *	1,200 *			A
11 Culture&Rec.	CRRE9		* Increase Admission Fees - Museums	37,520 *	38,070 *			A
12 Culture&Rec.	CRRE10		* Increase Fees Summer Rec. Centres	2,200 *	2,200 *			A
13 Culture&Rec.	CRRE11		* Pool Rentals	<u>6,000 *</u>	<u>17,000 *</u>			C
				<u>573,120</u>	<u>792,570</u>	<u>0.0</u>		
14 Property	PROP7A		Reduce Security Services - City Hall	<u>19,880</u>	<u>26,500</u>			C
15 PW/Traffic	PW - S29		* Residential Tree Planting	<u>92,320 *</u>	<u>92,320 *</u>	1.0	V	C
Total Packages Recommended to be considered Feb. 27				<u>771,320</u>	<u>1,016,390</u>	<u>1.0</u>		
28-Feb-96 10:15 AM								

The Corporation of the City of Hamilton
Additional 1996 Budget Adjustment Packages Approved
by City Council February 27, 1996

Appendix "C" as referred to in
 Section 5 of the Second Report
 of the Committee of the Whole for 1996.

Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V)	A/B/C	R/NR
1	Fire	FIRE2	Re-organization and reduction of Staff	360,100	540,150	11.0	†	C	R
2	Property	PROP14	Reduction of Staff	11,500	34,540	1.0	†	C	R
3	PW/Traffic	PW-P7	Modifications to Trillium Awards Program	5,000	5,000			C	R
4	PW/Traf - Fin'cls	PW-FIN2	Reserve for Major Repairs	435,830	435,830			B	R
5	Local Roads	LOCRD1	Reduced Upgrading of existing Railway Crossings	14,000	14,000			B	R
6	Financials	FIN3	Reduced Dog Licence Fees - H.S.P.C.A.	29,170	35,000			B	R
7	Financials	FIN4	Increased Grant Budget	22,150	22,150			B	R
8	Culture & Rec	CRRE2	Reduced Grant Budget	(52,000)	(52,000)				
9	PW/Traffic	PW-P4	EXPANSION - Operational Exp. for Riverdale Outreach Program	(155,600)	(155,600)	-1.5			
10	Financials		EXPANSION - Playstructure Maintenance	240,870	240,870				
			BUDGET ADJUSTMENT TO BE DETERMINED BY MANAGEMENT TEAM						
<i>Net Service/Program Packages Reduced from the 1996 Budget as Approved by City Council</i>				<u>911,020</u>	<u>1,119,940</u>	<u>10.5</u>			

28-Feb-96 12:06 PM

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1996

1996 March 12

Minutes of Hamilton City Council
Tuesday, 1996 March 12
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

APR 1 1996

The Council met:

GOVERNMENT DOCUMENTS

Present: Acting Mayor Wilson.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Mayor Morrow - vacation

Acting Mayor Wilson called the meeting to order.

The National Anthem was played.

The Reverend William A. Horne, Westmount Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 February 27 were adopted as circulated.

PRESENTATIONS

Mr. Brad Gowland, Recruiting Co-ordinator for the Red Cross Society presented an award to the City of Hamilton for its outstanding and significant blood donation contribution for 1995.

Provincial Champion Pins with the Sesqui Symbol were presented to the Hamilton and District Sledge Hockey Association by Acting Mayor Wilson.

CORRESPONDENCE

1. Petition in the form of 68 cards from the Journal of Architectural Conservancy of Ontario urging that Victoria Hall not be demolished.

Received.

2. Letter from S. G. Hollowell, Acting City Clerk advising of an objection to By-law No. 96-006 respecting property at 412 Aberdeen Avenue, Hamilton, Ontario.

Received.

3. Letter dated 1996 February 29 from the Hand Association of Sewer, Watermain and Road Contractors respecting "In House" work.

Referred to the Transport and Environment Committee.

4. Letter of Application dated 1996 March 5 from The Pica Group Inc. respecting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District, modified for 475 Main Street East, and 46 Grant Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of His Worship Mayor R. Morrow, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT

Section 1 Re: Recovery of servicing costs

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Acting Mayor Wilson. -1.

CARRIED.

* * * * *

Section 19 Re: 460 Kenora Avenue and 37 Kilbride Road, Waste Disposal Sites

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

PLANNING & DEVELOPMENT COMMITTEE - FOURTH REPORT

Section 5 Re: Demolition Permit - 107 Graham Avenue North

Recorded vote.

YEAS: Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Acting Mayor Wilson, Aldermen Kiss, Copps. -3. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 12 Re: Portable Signs - Commonwealth Square

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1. **CARRIED.**

RULE NO. 9

Re: Use of Council Chambers and Extension of Hours for Juno Awards

It was moved by Alderman Agro and seconded by Alderman McCulloch that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of resolutions respecting the following:

- (a) Use of the Council Chambers for a Public Meeting by David Christopherson, MPP.
- (b) Use of the Council Chambers for a Recorded Debate by St. Jean de Brebeuf Catholic Secondary School OAC English Students
- (c) Extension of Hours for Crazy Horse Saloon re: Juno Awards

CARRIED.

* * * * *

Section 14 Re: Use of Council Chambers by David Christopherson, M.P.P.

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 14 of the Fifth Report for 1996 of the Finance and Administration Committee:

- "14. That approval be given to the request of David Christopherson MPP to use the Council Chambers for a Public Meeting on Wednesday, 1996 March 13 from 7:00 o'clock p.m. to 9:00 o'clock p.m." **CARRIED.**

* * * * *

Section 15 Re: Use of Council Chambers by St. Jean de Brebeuf Catholic Secondary School

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 15 of the Fifth Report for 1996 of the Finance and Administration Committee:

- "15. That approval be given to the action taken by the Acting City Clerk in authorizing a group of OAC English Students from St. Jean de Brebeuf Catholic Secondary School to use the Council Chamber for a recorded debate on Hamlet, on Monday, 1996 March 11 from 9:00 o'clock a.m. to 12:00 o'clock noon." **CARRIED.**

* * * * *

Section 16 Re: Extension of Hours - Crazy Horse Saloon

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 16 of the Fifth Report for 1996 of the Finance and Administration Committee:

- "16. That approval be given to the action taken by the Acting City Clerk in advising the LLBO that a further addition of venue of The Crazy Horse Saloon on 21 John Street South be added to those previously supported by City Council in their request for extension of hours on Saturday, 1996 March 9th for the Hamilton Music Scene '96 Festival being held in conjunction with the Juno Awards." **CARRIED.**

REPORT OF HIS WORSHIP MAYOR R. MORROW - FIRST REPORT

RESOLUTION

Resolution respecting closure of any hospital in the City of Hamilton.

It was moved by Alderman Agro and seconded by Alderman McCulloch that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting the closure of any hospital in the City of Hamilton.

CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman McCulloch:

- (a) That the Hamilton City Council is on record as vehemently opposing the closure of any hospital, acute care or urgent care facility within its boundaries; and,
- (b) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, and all Area M.P.P.'s., The Hamilton-Wentworth Health Action Task Force and the Regional Health Council.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Caplan -1.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Report of His Worship Mayor R. Morrow, and resolutions be adopted.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:16 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR D. WILSON

S. G. Hollowell,
Acting City Clerk

1996 March 12
SGH/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1. That the City's policy regarding the recovery of servicing costs based on the actual property frontage adjacent to a 0.30 metre reserve be waived (without prejudice) with regard to the recovery of outstanding servicing costs adjacent to Parts 5 and 9 on Plan 62R-13294 and that the owner's request to pay outstanding servicing costs based on the perpendicular width of the property, be approved.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Eisenberger Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Acting Mayor Wilson. -1.

CARRIED.

2. That a "No Stopping" regulation be implemented on the south side of Greenhill Avenue commencing 102 feet west of the west curb line of Kimberly Drive and extending 79 feet east of the east curb line of Kimberly Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Robinson Street which commences 260 feet east of MacNab Street South and extends easterly to James Street South, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That a "No Parking" regulation be implemented on the west side of Dundurn Street South commencing at a point 46 feet north of Glenside Avenue and extending to a point 20 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Churchill Avenue from Buchanan Street to the easterly limits of Churchill Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That the existing "No Stopping" regulation on the east side of Ambrose Avenue which commences at Greenhill Avenue and extends to a point 169 feet northerly therefrom, be shortened such that the regulation commences at Greenhill Avenue and extends 40 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
7. That northbound traffic on Harmony Avenue be required to stop for eastbound and westbound traffic on Dunbar Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That four-way stop control be implemented at the intersection of Brentwood Drive and Sandalwood Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing "Permit Parking" regulation on the south side of Mars Avenue commencing at a point 163 feet east of Emerald Street North and extending to a point 20 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the application of Hugh Whyte, Treasurer of the Kensington Gospel Hall, No. 162 1/2 Kensington Avenue, to lease a portion of the east boulevard of Kensington Avenue adjacent to No. 162 1/2 Kensington Avenue be approved, provided that:
 - (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current rate is \$62.40 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14; and,
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14; and,
 - (c) the owner pays a one time \$219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,

- (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,
 - (e) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
11. That, in accordance with Section 15(1) of the Police Services Act, 1990, Terry Paul be appointed as a Parking Control Officer.
12. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved during the pleasure of Council, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
13. That the application of E. Adams, owner of No. 193 Cavell Avenue, to erect and maintain the encroachment of a concrete pad measuring 5' X 5' onto the road allowance of Cavell Avenue, be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

- (b) That suitable arrangements be made between the applicant and Hamilton Hydro to cover future relocation expenses for the removal of the encroachment; and,
 - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement; and,
 - (d) That the owner pay a first year fee of \$252. for processing and registration and an annual fee of \$20. for this encroachment.
14. (a) That an Offer to Purchase, duly executed by Christian Horizons (Noel Churchman, Executive Director), on 1995 December 8 and scheduled for closing on or before 1996 May 3 for the lands being Part of Lot 11, Concession 6 in the Geographic Township of Barton, all of Reserve "B" Registered Plan 1209 in the City of Hamilton, being more specifically described as the 1 Foot Reserve shown as Part 1 on Plan 62R-11979, containing an area of 0.002 ha. (215.3 square feet) more or less and located on the southerly limit of Millwood Place and the easterly limit of Fieldway Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Estate Procedural By-law No. 95-049 enacted 1995 February 14 have been fulfilled by the City and the funds derived from the sale of \$2. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and; and,
- (b) That the Mayor and City Clerk be authorized to execute the necessary documents; and,
 - (c) That in accordance with The Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
15. That the existing "No Stopping 4:00 p.m. - 6:00 p.m., Monday to Friday" regulation on the north side of King Street West from Paradise Road to Sterling Street be rescinded on a six month trial basis and that the City Traffic By-law No. 89-72 be amended accordingly.

16. (a) That in accordance with the Provincial Government's 3 Rs Regulations which mandate leaf and yard waste composting, the Commissioner of Public Works and Traffic be authorized to implement a two month public program on a proposed leaf and yard waste collection program based on consultation/education with the following criteria:
 - (i) Leaf and yard waste will be collected separately from regular household garbage and recyclables; and,
 - (ii) The collection period will be from April 15th to December 15th and a Christmas tree collection in January; and,
 - (iii) Collection will be on an every other week basis with collection days designated as per the attached Route Map Appendix "B"; and,
 - (iv) There will be no leaf and yard waste collection for statutory holidays nor will there be "make up" days for lost statutory day collections; and,
 - (v) Leaf and yard waste will only be collected when properly placed at curbside and packaged in clear plastic bags with a thickness of at least 1.5 thousandths of an inch, not more than 2.75 cubic feet, capable of holding 50 lbs or 22 kg; or compostable paper bags not more than 2.75 cubic feet, capable of holding 50 lbs or 22 kg; or in suitable reusable garbage cans/containers designated by the official leaf and yard waste logo as illustrated in Appendix "C"; or in the case of brush and garden debris tied in compact bundles not more than four feet in length; and,
 - (vi) The Department of Public Works and Traffic will make available and distribute through the mail, vinyl stick on leaf and yard waste logos for use by residents in designating specific reusable containers for leaf and yard waste, on a request basis and for an amount of \$1. each sticker; and,
 - (vii) Leaf and yard waste will not be collected in alleyways but rather at curbside or off road sites approved through separate collection agreements; and,
 - (viii) Each individual "lift" of leaf and yard waste ie. each bag or container of material shall not exceed 50 lbs or 22 kg; and,

- (ix) Grass clippings will not be collected. Property owners will be encouraged to recycle grass clippings onto their lawn, or compost grass clippings or take them directly to their local transfer stations; and,
 - (b) That the Commissioner of Public Works and Traffic be directed to report back on the issue at the 1996 May 6 Transport and Environment Committee meeting.
17. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

		Maximum Charge per Metre of Frontage	
<u>Item</u>		<u>Existing 1995</u>	<u>Proposed 1996</u>
(i)	Curb Only	\$ 72.00	\$ 79.00
(ii)	Sidewalks Only	\$115.00	\$101.00
(iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$158.00	\$151.00
(iv)	Roadway Only	\$257.00	\$260.00
(v)	Alleys	\$107.00	\$107.00
(vi)	Roadway and Curbs only (Industrial Subdivisions)	\$328.00	\$349.00

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.
18. (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB dechlorination for The Spectator at 44 Frid Street, Hamilton, Ontario; and,

- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of Environment and Energy be waived so that the proposed work can be carried out as scheduled.
19. (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the Region's request to amend the Provisional Certificates of Approval Nos. A130110 and A130111 for waste disposal sites (Transfer) located at No. 460 Kenora Avenue and No. 37 Kilbride Road, Hamilton, respectively, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the MOEE, and that all applicable City of Hamilton By-laws are complied with fully; and,
- (b) That a copy of this report be forwarded to the West Central Branch of the MOEE for their consideration in the amendment of the existing Provisional Certificate of Approval which would apply to the operation of the two (2) Hamilton based Waste Transfer Stations owned by the Region of Hamilton-Wentworth and operated by Laidlaw Energy Technologies Ltd.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-9 A By-law to Amend By-law No. 89-72 to Regulate Traffic
(b) A-10 A By-law to Amend By-law No. 89-72 to Regulate Traffic
(c) A-11 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

1996 March 4

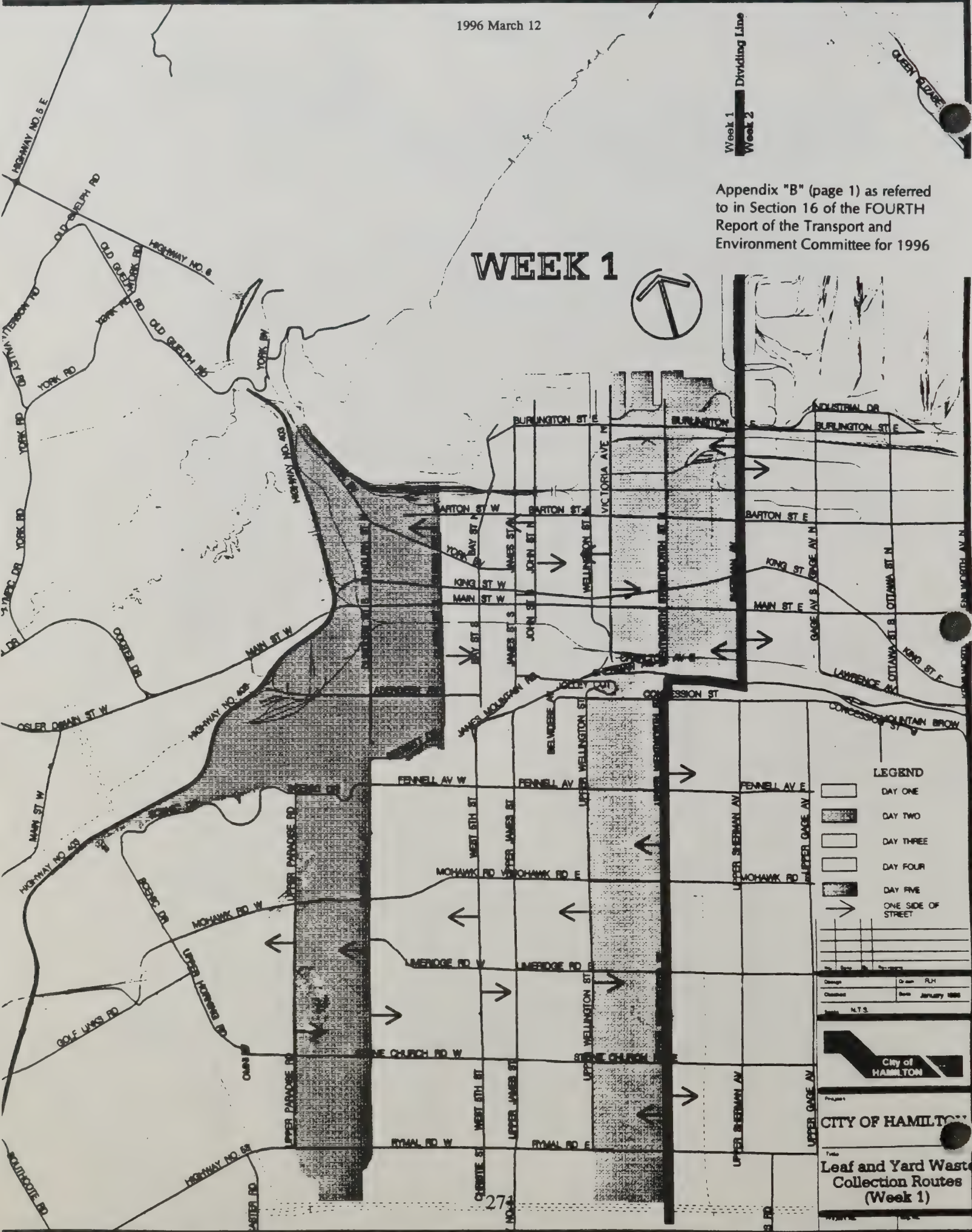
Appendix "A" as referred to in
Section 12 of the FOURTH Report
of the Transport and Environment
Committee for 1996

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>
Cope Street	88 Cope Street	G.G. & R. Wells	Portion of front steps measuring 1.219m x 0.610m	138/20
Roxborough	127 Fairfield Avenue	L. Therrien	Portion of a frame shed measuring 2.377m x 2.286m x	
Webber Avenue and Victoria Avenue	2 and 4 Webber Avenue	B. Szajman	Portion of retaining wall measuring 13.411m x 1.256m encroaching onto Victoria Ave Steps measuring 3.2m x 1.655m encroaching onto Webber Ave	138/20
Glendale Avenue	155 Glendale Avenue	G.G. Hillier	Portion of concrete steps measuring 0.229m x 0.838m	138/20
Robert Street	310 Robert Street	M. Balfour	Portion of building measuring 0.30m x 6.70m and veranda & steps measuring 0.30m x 2.01m	138/20
Murray Street	94 Murray Street	S. & G. Marrone	Portion of concrete steps measuring 0.573m x 0.914m	138/20
Bowen Street	55 John Street South	1165270 Ontario Ltd.	Portion of concrete rear wall of building measuring 0.183m x 4.974m	138/20

Week 1
Week 2
Dividing Line

Appendix "B" (page 1) as referred to in Section 16 of the FOURTH Report of the Transport and Environment Committee for 1996

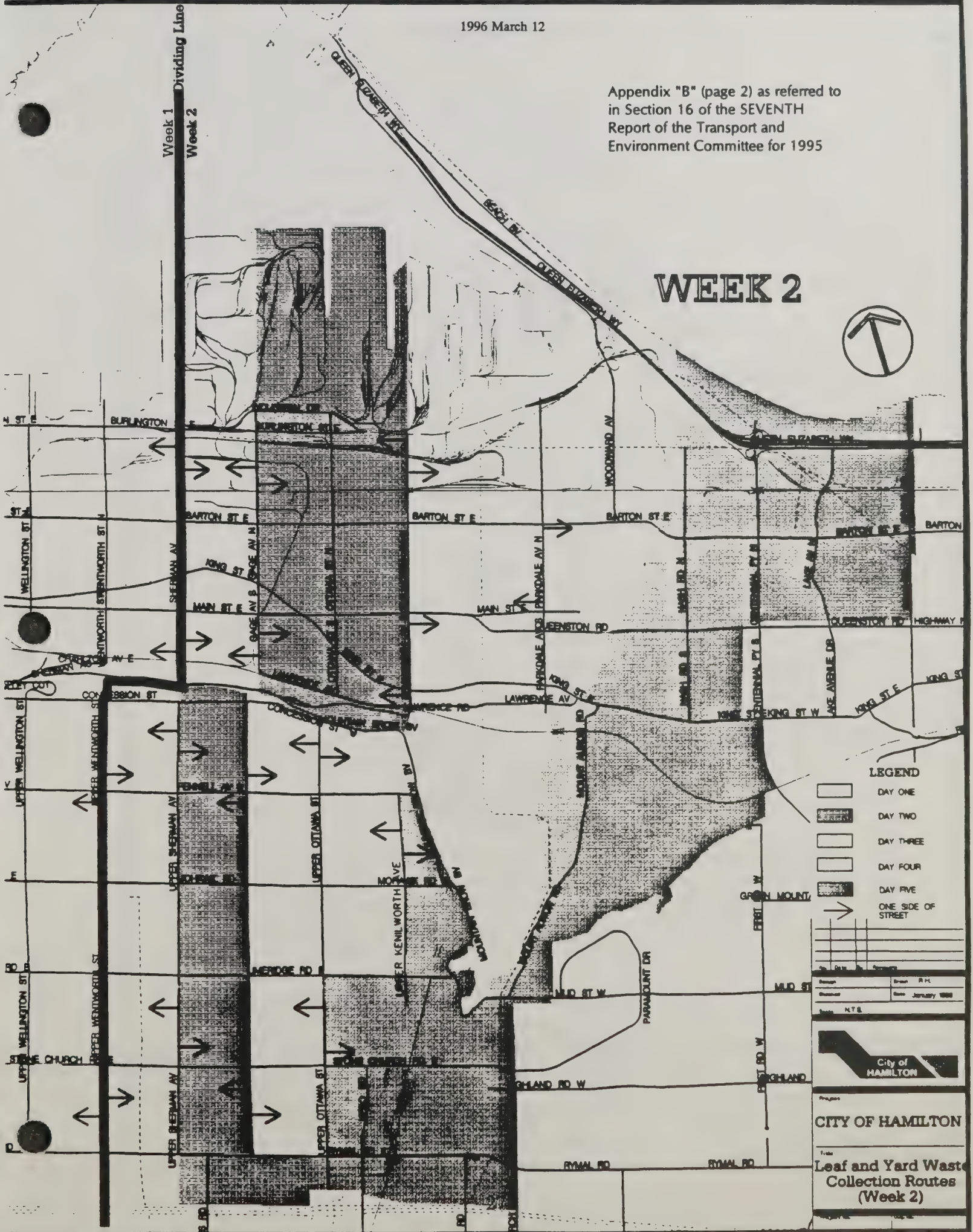
WEEK 1



1996 March 12

Appendix "B" (page 2) as referred to
in Section 16 of the SEVENTH
Report of the Transport and
Environment Committee for 1995

WEEK 2





SIZE APPROX. 18" (.40 m) DIAMETER



Project **LEAF & YARD WASTE
COMPOSTING PROGRAM**

Title **DECAL FOR OTHER PUBLIC
WORKS VEHICLES**

Date **SEPT. 1994**

Scale **N.T.S.**

Dwg. No.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1. (a) That the Offer to Purchase (Easement), to be executed by The Regional Municipality of Hamilton-Wentworth attached hereto as Appendix "A" and scheduled to close on 1996 April 29, for an underground easement in a 2.07 acre portion of Eastwood Park, situated in the City of Hamilton being composed of part of Water Lot in front of Lot 13, Broken Front Concession, in the geographic township of Barton, designated as Part 1 on Plan 62R-13686 for the sum of \$1. together with \$550,000. as outlined in paragraph (d) (i) be approved and completed; and,
- (b) That the City Treasurer be authorized to set up a Capital Budget Account for the proposed renovation to Eastwood Park in the amount of \$400,000. in accordance with the Offer to Purchase (Easement) with the Regional Municipality of Hamilton-Wentworth and this expenditure be financed by the amount recovered from the Region; and,
- (c) The amount of \$1. received for the easement be credited to the Reserve for Parklands A/C Centre No. 00201; and,
- (d) It is understood and agreed that:
 - (i) The consideration referred to in paragraph a) above is comprised of the following consideration passing from the Region to the City as outlined in Appendix "B" attached to the agreement: Consideration \$1.00: restitution of park costs, \$350,000: portion of Utility building for City \$150,000; loss of park use \$50,000; and,
 - (ii) Upon acceptance and execution of this Offer by the City, the City immediately leases upon the terms set out in the Offer to Purchase, to the Region to facilitate the Region's construction project and equipment, for an initial term in respect to Part 2 Plan 62R-13686, the temporary lease, to on or before May 15, 1998, at which this temporary lease shall cease: in respect to Part 1, 62R-13686, the permanent easement location,

to the earlier of: the date which the said Transfer of the easement is registered in favour of the Region, or 1998 May 15; and,

- (iii) As part of the consideration payable by the Region to the City in consideration for this transfer of the easement, the Region agrees at the Region's expense, after completion of construction of the facility and on or before 1998 May 15; and,
 - (aa) to landscape the site above the easement and temporary lease area, in accordance with a plan of elevations satisfactory to the City with 6 inches of shredded top soil and sod; and,
 - (bb) to construct an above grade utility building in accordance with the approved plans, an excerpt which is attached to the Offer as Appendix "C"; and,
- (iv) The Region be permitted to construct an underground Combined Sewer Overflow tank pursuant to the easement authorized in the attached Offer to Purchase (Easement) in accordance with Region's contract document RGW096-03(S) dated 1995 December, prepared by Thorburn Penny, Consulting Engineers; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (f) That the Commissioner of the Department of Public Works and Traffic be authorized and directed to provide substitute recreational facilities at Bennetto School and reinstate Eastwood Park with funds previously identified in recommendation b); and,
- (g) That in accordance with Real Property Sales Procedural By-law No-049:
 - (i) the said underground easement in Eastwood Park is hereby declared surplus to the City's requirements; and,
 - (ii) satisfactory notice has been given to the public of the intended sale by the inclusion of this report in the agenda of Council; and,
 - (iii) the said easement being sold to the Regional Municipality of Hamilton-Wentworth is exempt from an appraisal; and,

- (iv) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

Respectfully Submitted,

**Tina Agnello
Acting Secretary**

**ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

1996 March 12

Appendix "A" as referred to in
Section 1 of the Fourth Report of the
Parks and Recreation Committee for 1996

EASEMENT TERMS SCHEDULE

Attached to and forming part of the Offer to Purchase (Easement) between The Corporation of the City of Hamilton, as Vendor and The Regional Municipality of Hamilton-Wentworth, as Purchaser.

SCHEDULE TO TRANSFER/DEED OF EASEMENT LAND REGISTRATION REFORM ACT, R.S.O. 1990, Ch.L.4

The annexed Transfer/Deed of easement and this Schedule are one instrument collectively called the "Transfer".

This Transfer is a Transfer of an Easement only that pertains to the property described in Box (5) of the annexed Transfer/Deed of easement made between The Corporation of the City of Hamilton, as Transferor, being the party identified in Box (8) of the annexed Transfer/Deed (the "Transferor") and The Regional Municipality of Hamilton-Wentworth, as Transferee, being the party identified in Box (11) of the annexed Transfer/Deed (the "Transferee").

The following recitals and terms are applicable to this Transfer of easement:

WHEREAS The Corporation of the City of Hamilton is the registered owner in fee simple of the land described in Box (5) of the Transfer Deed to which this Schedule is attached;

AND WHEREAS The Regional Municipality of Hamilton-Wentworth which has jurisdiction over the collection and disposal of combined storm water and sewer waste, requires a site to build a below grade structure for the purpose of temporarily holding the said the said liquids/substances until such time as the treatment facilities of the Region have the capacity following a storm to accept the said liquids for treatment;

AND WHEREAS the Region has requested the City to transfer to the Region this easement in the City's land described in Box (5) of the Transfer/Deed to which this Schedule is attached for purposes of the Region's combined sewer over flow temporary holding facility;

AND WHEREAS the City has agreed to do so subject to and upon the terms and conditions set out in this Transfer of easement and its Schedules entered into between the City, as Transferor and the Region, as Transferee.

1. Definitions: In this easement, the following words or phrases shall have the following meanings:

- (a) "Combined Sewer Overflow Tank", (which may also be referred to as the "facility" or as the "tank"), is a 25,000 cubic metre underground storage tank to intercept combined sewer overflows which would otherwise be directed to Hamilton Harbour. The tank shall,
 - (i) be 110 m x 43 m x approximately 7 m in depth;
 - (ii) be divided into two interconnected cells with two (2) submersible pumps. The pumps shall discharge through a 400 mm diameter forcemain along Ferguson Avenue into the Burlington Avenue trunk sewer;
 - (iii) be cleaned by a series of 15 flushing buckets positioned along the north wall of the tank. The buckets shall be filled using potable water from the Region's distribution system, (i.e. a 300 mm watermain along Ferguson Avenue). Water shall be automatically or manually distributed via a piping arrangement located in a water distribution chamber located underground on the north side of the tank to each of the buckets. The buckets once filled shall automatically tip sending a surge of water down each channel to effectively flush the tanks clean of residue and odour;

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- (iv) be gravity fed by inlet overflow sewers along Dock Service Road to intercept overflows from the Catharine Street outfall and to intercept overflows from the Ferguson Avenue outfall. There shall also be overflow sewers back to the outfalls in the event the tank overflows, all of which is more particularly described in the Contract Documents and Specifications for the Eastwood Park Combined Sewer Overflow Facility, Control Building, Sewer Infrastructure & Associated Works. Contract No. RHW-96-03(S) dated December 1995, prepared by Thorburn Penny, Consulting Engineers - Milton - Stoney Creek - Ottawa;
- (b) "City Co-ordinator" means the person designated by the City from time to time for purposes of liaison between the City and the Transferee regarding this easement. The initial City Co-ordinator shall be the City's Commissioner of Public Works and Traffic;
- (c) "control room" is an above ground room, measuring not less than 3.61 metres by 5.40 metres, the initial location of which is within the utility building, situate west of the tank;
- (d) "facility" has same meaning as Combined Sewer Overflow Tank;
- (e) "Hazardous Substances" includes substances, liquids, solids or conditions that are prohibited, controlled or otherwise regulated or are otherwise hazardous in fact including, without limitation, contaminants, pollutants, toxic, dangerous or hazardous substances or material, waste, urea formaldehyde foam type of insulation, asbestos or asbestos-containing materials, polychlorinated biphenyls ("PCBs") or PCB contaminated fluids or equipment, explosives, radioactive substances, petroleum and associated products;
- (f) "land" means the land described in Box 5 of the Transfer/Deed to which this Schedule is attached and includes the permanent easement location;
- (g) "permanent easement location" means that underground portion of the land described in Box (5) of the Transfer within which portion the Transferee shall own and enjoy the easement rights granted herein by the Transferor;
- (h) "permitted protrusions" means only those minor portions of the facility listed in Schedule "F" annexed hereto, which the Transferee may locate at an elevation above the permitted underground maximum height;
- (i) "Plans" means the plans and specifications in the "Contract Documents and Specifications for the Eastwood Park Combined Sewer Overflow Facility, Control Building, Sewer Infrastructure & Associated Works". Contract No. RHW-96-03(S) dated December 1995, prepared for The Regional Municipality of Hamilton-Wentworth, by Thorburn Penny, Consulting Engineers, of - Milton - Stoney Creek - Ottawa;
- (j) "Region's Landscaping" means the initial grading, (in accordance with a plan of elevation satisfactory to the City), and sodding, (including six inches of shredded topsoil), of the land above the permanent easement location;
- (k) "Regional Co-ordinator" means the person designated by the Region from time to time for purposes of liaison between the Transferee and the City regarding this easement.
- (l) "Transferee" means The Regional Municipality of Hamilton-Wentworth and includes the Transferee's successors and assigns, unless the contrary is expressed;
- (m) "Transferor" means The Corporation of the City of Hamilton, its successors and assigns;
- (n) "underground" is defined for the purposes of this easement to restrict the rights granted herein to that portion of the land described as Part One on Plan 62R-13686 lying below a horizontal plane having a geodetic datum elevation of 76.75 metres, save and except for permitted protrusions;
- (o) "utility building" is an above ground structure containing an electrical control room, a parks control room, two washrooms, two storage rooms and a covered open area, pursuant to and at the location set out within the specifications in the Plans defined herein.

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2. The Transferor of this easement, solely for the purposes of the combined sewer overflow tank, hereby,
- (a) grants to the Transferee the right, subject to the provisions set out in this Schedule, to enter and lay down, install, construct, maintain, open, inspect, add to, alter, repair and keep in good condition, remove, replace, reconstruct, supplement and operate the facility, including all appurtenances necessary or incidental thereto, within the permanent easement location;
 - (b) grants its approval to the said Plans for the proposed facility within the permanent easement location;
 - (c) agrees that the facility and any sewer or water pipe and all other equipment and materials within the said permanent easement location installed by the Transferee shall at all times remain the property of the Transferee notwithstanding the same may be annexed or affixed to the freehold and shall at any time and from time to time, subject to the provisions herein, be removable or replaced in whole or in part by the Transferee;
 - (d) grants, subject to the provisions herein, the limited right, for purposes of the easement granted herein including cases of emergency, to the Transferee, its servants, agents, contractors and workers and other persons duly authorized by the Transferee, to enter the land only for such period as may be required to carry out the said task, provided same shall not interfere with the Transferor's use and improvements (if any) to the land. The Transferee shall give four month's notice of its intention to so enter the land, (unless it is an emergency, in which case it shall give notice, to the Transferor) and the Transferee shall expeditiously carry out all required tasks with dispatch in order that the City's use and enjoyment of the land shall be reinstated without unnecessary delay.

The Transferee shall restore, at the Transferee's expense, the land and improvements of the Transferor thereon to their original condition.

- 3.
- (a) The Transferor reserves to itself exclusively the right to grant further and other easements in, on, over, along and upon the land, the right to use the land, maintain any improvements, including all necessary support and easements to construct and connect same with cables, utility lines, pipes, conduits, pipelines and the like – for purposes that do not interfere with the easement granted herein; Prior to granting any such further easement, the Transferor shall give notice of the proposed easement to the Transferee and receive the input of the Transferee to ensure there is no interference with the facility;
 - (b) The Transferor further agrees that in the event that any excavation, drilling, installation, erection or building on, in or over the said land may affect or interfere with the facility, that the Transferor shall give notice of the proposed activity to the Transferee and with input from the Transferee, take the action to ensure there is no interference with the facility;
 - (c) The Transferor agrees to indemnify and save harmless the Transferee, its officers, officials, employees, contractors and agents from and against all actions, causes of action, interests, claims, demands, fines, costs, damages, expenses, or loss which the Transferee as owner of the facility, may bear, suffer, or be put to as a result of the negligence of the Transferor or of any of its officers, officials, employees, contractors and agents in exercising its rights as owner of the land (including, without limiting the generality of the foregoing, any damage to property or injury or death to persons or construction lien claims).

4. The Transferee of this easement hereby covenants to the Transferor,
- (a) to construct the facility including the related utility building and the Region's landscaping in accordance with the Plans as approved by the City and the terms of this easement;
 - (b) to commence construction of the facility forthwith on or before registration of this easement; to diligently prosecute to completion the construction of the facility and to complete construction (including the related utility building and the Region's landscaping) on or before May 15, 1998;
 - (c) to appoint a Regional Co-ordinator as the liaison representing the Region;
 - (d) to submit to the City Co-ordinator an estimated construction schedule at the time construction is commenced. Further detailed construction schedules shall be submitted from time to time to the Co-ordinator until the construction of the facility has been completed with actual progress shown;

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- (e) that the Regional Co-ordinator shall fully inform the Transferor on the progress of the installation of the facility or other activity from time to time of the Transferee, its officers, officials, employees, contractors and agents pursuant to this easement on a regular basis or such other times as may be required by the City's Co-ordinator;
- (f) to allow the City's Co-ordinator and his authorized representatives the right at all reasonable times to enter upon any part of the facility being constructed to view the state of progress of the same and to inspect and test material and workmanship and for the purpose of ascertaining generally that the provisions of this Agreement are being complied with;
- (g) Intentionally omitted;
- (h) to cause, at the Transferee's expense, to be paid, satisfied, released, cancelled and vacated, construction liens and other liens for labour, services or materials alleged to have been furnished or to have been charged by or for the Transferee or for any one on its behalf, which may be registered against or otherwise affect the permanent easement location and/or the land;
- (i) to provide to the City's Co-ordinator within forty (40) days of the completion of the facility with plans, specifications or drawings showing the facilities, works or matters as finally constructed and in place; the plans, specifications or drawings shall be signed by the Commissioner, Transportation and Environmental Services or his duly authorized agent representing that the said plans, specifications are final and accurate and show the facility as constructed and in place, on the date the drawings are provided to the City;
- (j) to be fully responsible at its expense for all costs of the facility, including its maintenance and repair; costs to eliminate odour at all times and costs necessary to prevent and eliminate all other environmental effects arising from its use of the facility;
- (k) to make no alterations to the Plans or to the facility as constructed which would change the location, nature or number of permitted protrusions except with the prior written consent of the Transferor (such consent not to be unreasonably withheld, unless they would increase the size, location or number of the existing permitted protrusions). The Transferee shall provide the Transferor with plans for the alterations in such detail as may be required by the Transferor, prior to the Transferor's decision. Without limiting the generality of the foregoing, the Transferee acknowledges and agrees that its easement rights are for an underground facility and that the approved facility design confines surface protrusions to the said permitted protrusions, in order that the largest overall flat surface at grade level remains available, after construction, to the Transferor; that the Transferee has no right at to erect or maintain any other object (or fence) at or above the maximum permitted elevation of the underground permanent easement location or to excavate, open or carry out other work;
- (l) to be responsible for any damage caused by its agents, contractors or employees to the said land and to the property of the Transferor and to replace, at its expense, any soil, turf, ground coverings or improvements removed in connection with any work referred to herein and shall repair any damage caused by the Transferee, its agents, contractors or employees, in the exercise of its rights pursuant to this easement, to any property, including any property of the Transferor and any land of the Transferor lying adjacent to the said land;
- (m) intentionally omitted;
- (n) to pay, as they become due, all charges for public utilities, including water, gas, electrical power, energy, steam and hot water, used in the facility;
- (o) to pay realty taxes or such other tax or levy (if any) that may arise on the property assessment attributable to its facility and occupation of the land in the event that for any reason the land or the Transferee's interest therein is subsequently classified as taxable;
- (p) at all times, to assume the defense of and to indemnify and save harmless the Transferor, its officers, officials, employees, contractors and agents from and against all actions, causes of action, interests, claims, demands, fines, costs, damages, expenses, or loss which the Transferor, as owner of the land, may bear, suffer, or be put to as a result of the Transferee's exercise of its rights pursuant to this easement agreement, (including, without limiting the generality of the foregoing, any damage to property or injury or death to persons or construction lien claims), or, as a result of the negligence of the Transferee or of any of its officers, officials, employees, contractors and agents;

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- (q) to ensure, in its use and occupation of the permanent easement location and in the conduct of its operations therein, and in the maintenance and repair thereof, and as to all other equipment, processes and operations, matters or things pertaining to the facility, compliance with all laws, by-laws, statutes, orders and regulations of all governmental authorities having jurisdiction. The Transferee shall, without cost or expense to the Transferor, comply with all laws, by-laws, regulations and requirements of all governmental, municipal and other authorities having jurisdiction, and any body exercising similar functions and whether compliance involves extraordinary measures, structural repairs or alterations;
- (r) to promptly observe, perform, execute and comply with all laws, rules, requirements, orders, directions, ordinances and regulations of every governmental authority or agency concerning the permanent easement location and the facility and further agrees at its own cost and expense to make any and all improvements thereon or alterations thereto, structural or otherwise, ordinary or extraordinary, which may be required at any time hereafter by any such present or future laws, rules, requirements, orders, directions, ordinances or regulations;
- (s) to obtain at its expense all applicable permits, licences, certificates or orders (control, stop, remedial) and preventive measures which may arise and to design, build, operate and maintain the facility in accordance with all standards, spill containment, monitoring equipment, diking, which meet or exceed the standards of the industry and of the Province of Ontario and Canada pursuant to their respective statutes and regulations, including, without limiting the generality of the foregoing, the following, as the same may or may not apply:

Environmental Assessment Act,
Environmental Protection Act,
Ontario Water Resources Act.

- (t) to reimburse the Transferor for expenses, fines, damages and legal fees in defending against claims which the Transferor may bear or incur in the event that the facility and its operations within the permanent easement location create a nuisance or cause damage to the environment including degradation and/or diminution of the quality of water in Hamilton Harbour, which expose the City to damages or prosecution as landowner of the land by reason of the Transferee's exercise of its rights pursuant to this easement or by reason of the Transferee's noncompliance with federal, provincial, municipal laws, regulations and by-laws;
- (u) to register this easement on title to the land forthwith after the execution thereof and to provide the Transferor with one duplicate registered copy of this easement.

5. The Transferee represents and warrants to the Transferor that:

- (a) The Transferee has applied for and received all necessary approvals and certificates as may be required, including those pursuant to the Environmental Assessment Act and similar legislation, to undertake all aspects of its development and use of the permanent easement location pursuant to this easement, including the construction and operation of the facility;
- (b) The Transferee's engineering consultants have designed the facility taking into account earthquake factors and in such a manner as to support at least 250 pounds per square foot of any improvements that may be subsequently constructed by the City. The City acknowledges that the Region has supplied to it all structural loading information and other information required by the City to design and construct improvements, if any, including a refurbished park, park improvements and the park's vehicular parking, creative playground structure(s) and swings;
- (c) The Transferee shall operate, maintain and repair the Facility in all respects in a prudent and workmanlike manner and shall reimburse, assume the defense of and indemnify the Transferor for any damage to persons or to property, including the land, the adjacent City lands, the City's improvements;
- (d) intentionally omitted;
- (e) intentionally omitted.

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6. The Transferee agrees and covenants to the Transferor that:

- (a) Notwithstanding any other provision of this easement to the contrary, no Hazardous Substances shall be used, stored, held, processed, manufactured, handled or discharged into, on, under, or from the permanent easement location and the facility except in accordance with the requirements of all environmental laws and provided that no Hazardous Substance or any other liquid or solid shall be stored or allowed to remain within the facility or within the permanent easement location for a period in excess of twenty-one days. Any such Hazardous Substances shall be disclosed to the Transferor in writing immediately upon detection; In the event the Transferee is not in a position to discharge any substance or liquid to the Transferee's waste treatment facility or to the Transferee's discharge outlet into the Harbour, the Transferee shall, at its expense, and in accordance with all environmental regulations, cause the liquids and substances to be safely removed and delivered to a safe and secure location not forming part of the permanent easement location;
- (b) intentionally omitted;
- (c) All permits, licences, certificates, approvals, authorizations, registrations or the like required by any environmental law required for purposes of the Transferee pursuant to this easement, or of any tenant, subtenant, assignee or other occupant of the permanent easement location, shall be obtained and kept in good standing, valid, in full force and effect;
- (d) The Transferee is responsible for the remediation of any environmental damage to persons or to property and responsible for the removal of any Hazardous Substances it has brought or allowed into the permanent easement location and shall indemnify the Transferor for all costs, expenses, damages or liabilities (including without limitation, legal fees) arising out of or attributable to non-compliance by the Transferee with any environmental laws or to the presence in the permanent easement location of any Hazardous Substance. The Transferee's liability and indemnity in this regard shall survive notwithstanding the Transferee's subsequent assignment or other transfer of its easement and/or any other extinguishment of the obligations of the Transferee.

This provision does not permit the Transferor to require the Transferee to remove Hazardous Substances that were within the permanent easement location prior to the Transferee's taking possession for construction of the facility, unless they were disturbed by the Transferee in exercising its rights pursuant to this easement.

- 7. (a) The Transferee shall assume the defense of and be responsible for, indemnify and save harmless the Transferor from any costs, including legal costs, claims, demands, civil actions, prosecutions, or administrative hearings, fines, judgments, awards, including awards of costs, that may arise as a result of: the condition of the land or of the permanent easement location or of the facility; any order issued in connection with the condition of the property, or any loss, damage, or injury caused as a result of the easement granted herein to the Transferee;
- (b) The Transferor shall not be liable or responsible in any way for personal injury or death suffered by the Transferee or any employee of the Transferee or any other person or for any loss of or damage or injury to property and, in particular the Transferor shall not be liable for any damages to property caused by steam, water, rain, sewer waste, storm water, other effluent, substance or snow which may leak out of, drain from, issue or flow from any part of the facility or the permanent easement location or adjoining property or from the water, steam or drainage pipes or plumbing works of the facility or from any other place or quarter or for damage caused by the collection of combined sewer and storm water waste.
- 8. (a) The Transferee agrees to purchase and maintain in force, at its own cost and expense, including the payment of all deductibles, a policy of Commercial General Liability Insurance in a form and with an insurance company acceptable to the Transferor. Such insurance is to be in an amount of not less than three million dollars (\$3,000,000.00) per occurrence.

The Transferor hereby grants to the Transferee permission to assume deductibles and/or self-insured retained limits as the Transferee may deem necessary from time to time and in various amounts, provided the amount of any deductibles and/or self-insured retained limits are acceptable to the Transferor.

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The Transferee shall provide the Transferor with an originally signed certificate of insurance, plus a copy of the endorsement issued to the policy, evidencing:

1. that the Transferor has been named as an Additional Insured on the policy;
2. that the policy contains a Cross Liability and Severability of Interest clause;
3. that the policy contains Contractual Liability Coverage;
4. that the Insurer is required to notify the Transferor by registered mail not less than 30 days in advance of termination or cancellation of policy for any reason or in event of material change to policy.

(b) intentionally omitted

(c) Such Transferee's insurance shall be for such amounts as may be required by the Transferor from time to time;

9. The Transferor and Transferee agree,

- (a) that pursuant to subsection 194(2) of the Municipal Act R.S.O., 1990, Chapter M.45, as amended from time to time, a municipal public utility easement does not have to be appurtenant or annexed to or for the benefit of any specific parcel of land to be valid. Therefore, the parties hereto agree that for the purposes of this easement, the dominant tenement of the Transferee consists of a system of storm and sanitary sewers and watermain of the Transferee together with the related buildings and plants of the Transferee in which they are situated, all located in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario;
- (b) that the onus is upon the party carrying out any works, operations or activities upon the said land or upon the land or permanent easement location, as the case may be, to apply for and obtain at its expense, all applicable consents, approvals and permits required at law, whether such law be municipal, regional, provincial, or federal in origin. Nothing in this provision shall be deemed to be the consent of the Transferor to the carrying out of any work or activity not permitted by this easement agreement;
- (c) that this Agreement is subject to all rights now or that may hereafter be vested in the City, or in any gas, telephone, telegraph, electric light, or other company, in respect of the construction, repair, replacement or removal of sewers, culverts, drains, water, cables, or gas pipes or the placing of poles or wires (herein called "services") therein;
- (d) that the Transferor has made no representations or warranties of any kind, either expressed or implied, as to the condition of the land, the subsoil, environmental matters, condition of any structures, if any, or any other matters respecting the land whatsoever, including the use to which it may be put and its zoning. By registration of this grant of easement, the Transferee accepts the permanent easement location and any improvements thereon in an "as is" condition and shall comply with all orders relating to the condition of the permanent easement location issued by any competent government authority, court or administrative tribunal, including any order issued against the Transferor as a result of the Transferee's facility;
- (e) no waiver by any of the parties hereto of the breach of any covenant or provision hereunder shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other covenants or provisions hereunder. No waiver shall be effective unless in writing;
- (f) if any provision of this easement is null and void, then that provision and any obligations in relation thereto shall be severed and the balance of the easement shall remain in full force and effect;
- (g) the remedies of the Transferor are cumulative and the exercise by the Transferor of any right or remedy for the default or breach of any term, covenant, condition or agreement herein contained shall not be deemed to be a waiver of or to alter, affect, or prejudice any other right or remedy or other rights or remedies to which the Transferor may be lawfully entitled for the same default or breach;

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- (h) nothing in this easement shall be construed, interpreted or deemed to limit or fetter the jurisdiction, authority or rights at law of the Transferor in its capacity as a municipality and any decision of the Transferor in its capacity as a municipality shall not be deemed as contrary to the Transferor's obligations to the Transferee under this easement;
- (i) that this easement and everything herein contained shall extend to and include the parties hereto and their respective successors and assigns;
- (j) any Notice required or permitted to be given hereunder shall be sufficiently given if in writing and mailed by registered mail, postage prepaid.

If to the Transferor, to the address in Box 10 of the attached Transfer/Deed.

If to the Transferee, to the address in Box 12 of the attached Transfer/Deed.

- 10.(a) As part of the consideration payable by the Transferee to the Transferor in consideration for this transfer of easement, the Transferee agrees, it shall cause to be constructed at its full cost and expense, a building (the utility building) above grade and upon adjacent land of the Transferor, subject to the condition that one room of the said building is for the exclusive use of the Transferee for the sole purpose of controlling the nearby facility;
- (b) The Transferor and the Transferee agree that upon completion of construction of the utility building, that the building shall become the absolute property of the Transferor and that the Transferor shall assume all rights and liabilities for the building as the owner thereof, subject only to the following qualifications:
 - (i) the Transferee shall have exclusive use of the Control Room as long as the building exists;
 - (ii) in the event the utility building ceases to exist, the Transferor shall be responsible at its expense to provide a substitute control room within 100 metres of the permanent easement location;
 - (iii) the Transferee shall be fully responsible for the interior of the control room however damaged, including its maintenance and electrical expenses, as well as the security of access to it;
 - (iv) the Transferor, as owner of the building shall pay costs of all utilities to the building (including heat, light and water), but not the cost of utilities for the Control Room or the facility;
 - (v) The Transferee will at all times indemnify and save harmless the Transferor, its officers, officials, employees, contractors and agents from and against all actions, causes of action, interests, claims, demands, fines, costs, damages, expenses, or loss which the Transferor, as owner of the utility building, may bear, suffer, or be put to as a result of the negligence of the Transferee or of any of its officers, officials, employees, contractors and agents or as a result of the Transferee's exercise of its rights regarding the control room in the utility building pursuant to the terms of this easement, (including, without limiting the generality of the foregoing, any damage to property or injury or death to persons or construction lien claims).
- 11.(a) The Transferee shall not cease to use the said facility, and/or abandon the said facility, or remove or replace the facility or part thereof without the prior written approval of the Transferor.
- (b) Where, in the opinion of the Transferor, the Transferee no longer uses the facility pursuant to this easement, ceases to use the said facility, operates the facility contrary to the terms of this easement or contrary to the environmental laws and/or abandons the facility, or where the Transferee requests the Transferor's approval to remove or replace the facility or part thereof, the Transferor may, direct in writing, the Transferee as follows,
 - (i) in compliance with all applicable laws and regulations, at the Transferee's expense, to cause to be carried out, by consultants and upon terms satisfactory to the Transferor, soils, groundwater, environmental or other tests of the facility and/or the permanent easement location and/or the land or adjacent lands of the Transferor;
 - (ii) to carry out such remedial or other measures and alterations to the facility;

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- (iii) to require the Transferee to remove the facility, or, where the Transferee applies to the Transferor, the Transferor may allow or prohibit the Transferee's request to remove or replace the facility or part thereof;
- (iv) to take all necessary remedial measures to restore the natural environment in compliance with the most recent guidelines of the Ministry of the Environment and Energy in order to leave the land in a safe condition;
- (v) where it is determined by the Transferor that the permanent easement location, the land or adjacent land of the Transferor has been contaminated, the Transferee covenants and agrees, if required by the Transferor, to remove, at its own cost and expense, such contaminated material in accordance with the standards of all applicable authorities, including but not limited to the Ministry of the Environment and Energy for the Province of Ontario. Upon the failure of the Transferee to remove such contaminated material, the Transferor may remove such contaminated material and recover the costs and expenses from the Transferee.

This provision does not permit the Transferor to require the Transferee to remove Hazardous Substances that were within the permanent easement location prior to the Transferee's taking possession for construction of the facility, unless they were disturbed by the Transferee in exercising its rights pursuant to this easement.

12. Intentionally omitted.

13. This easement may be executed in several counterparts each of which when executed by the parties shall be deemed to be an original and such counterparts shall together constitute one and the same instrument.

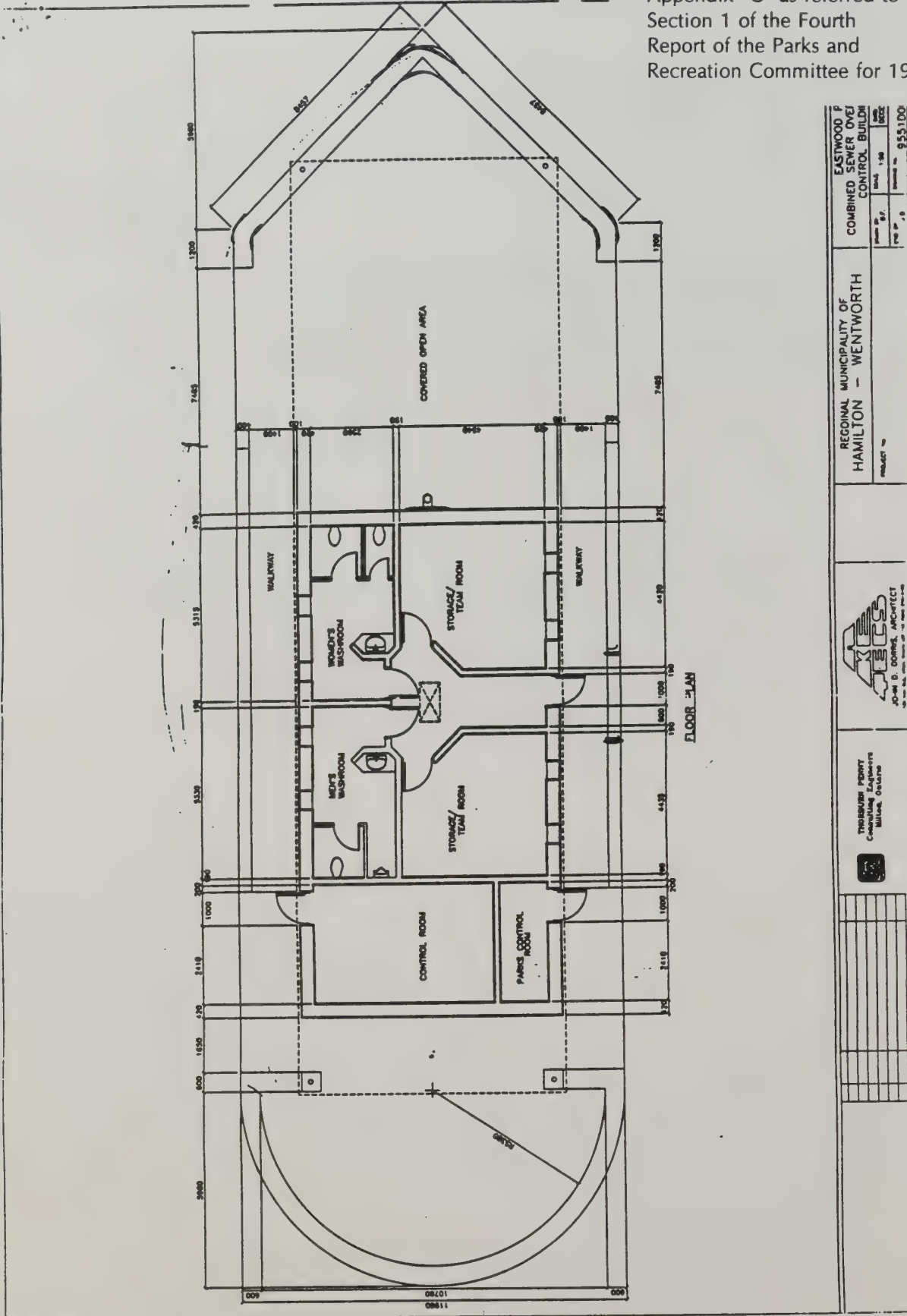
Appendix "B" as referred to in
Section 1 of the Fourth Report of the
Parks and Recreation Committee for 1996

ELEMENTS OF COMPENSATION

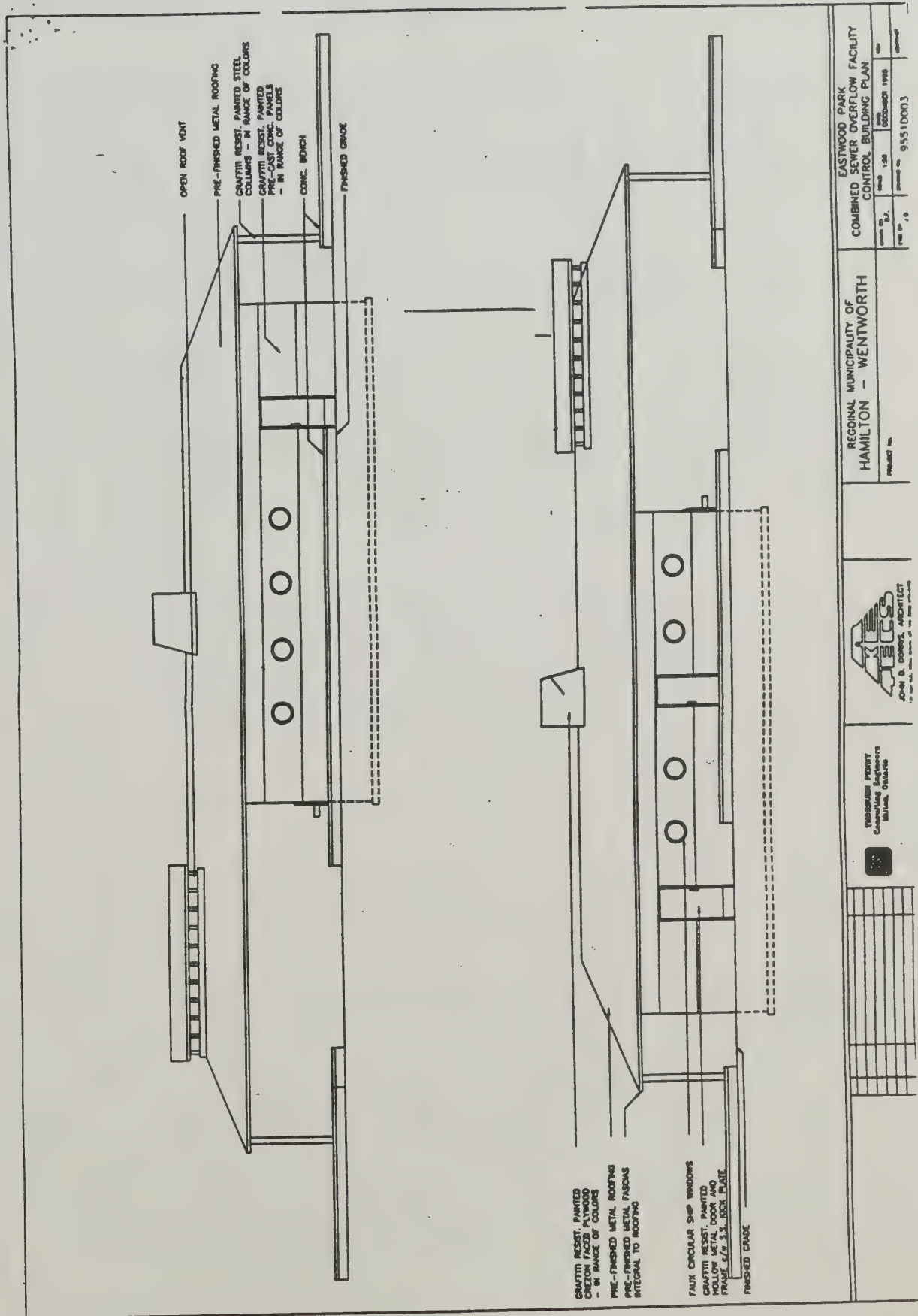
Attached to and forming part of the Offer to Purchase (Easement) between The Corporation of the City of Hamilton, as Vendor and The Regional Municipality of Hamilton-Wentworth, as Purchaser.

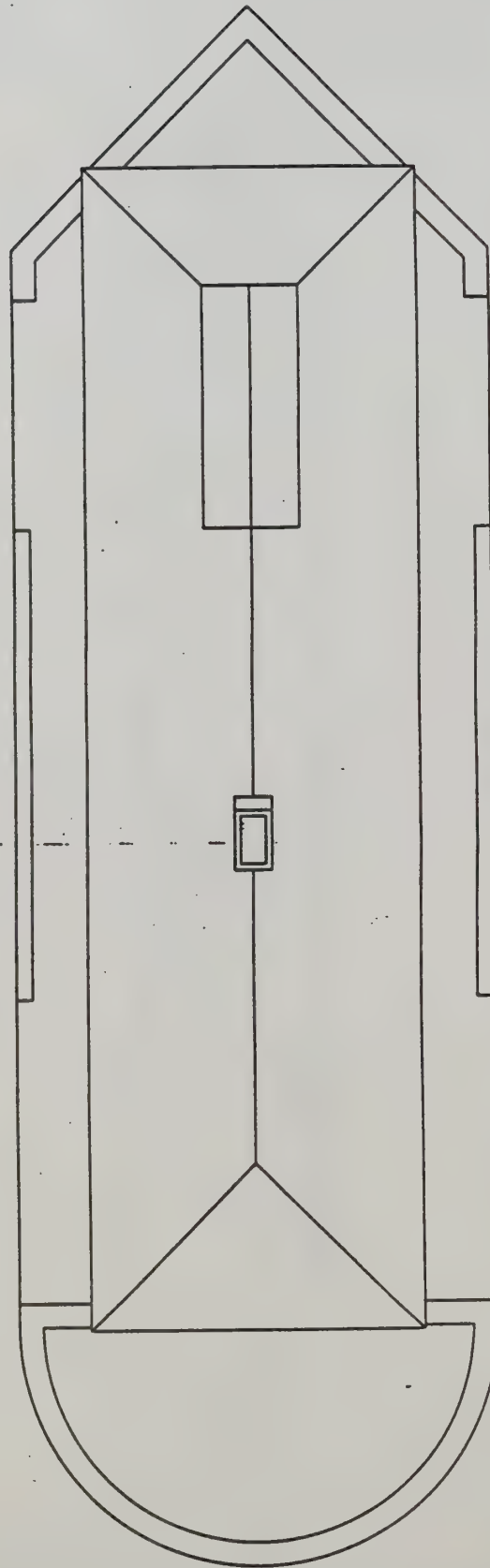
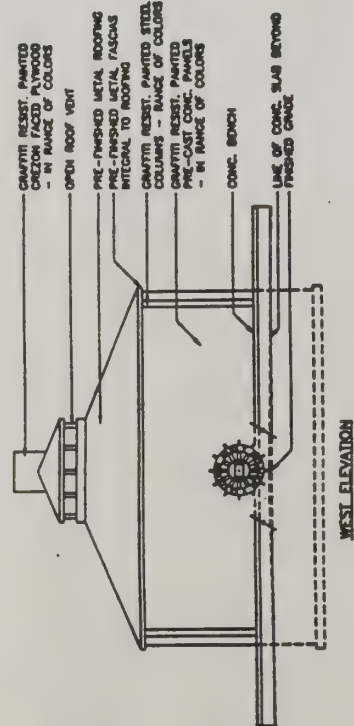
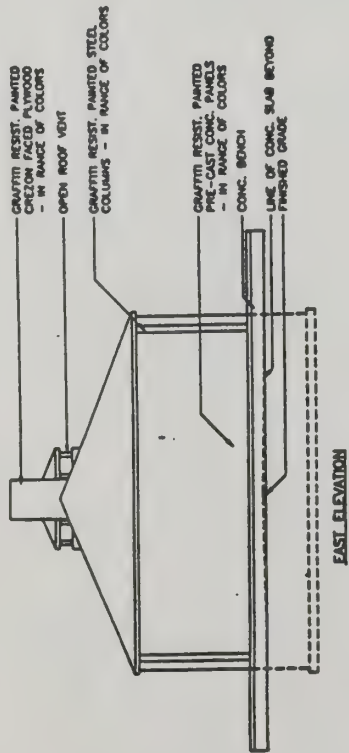
Market Value of Realty	\$1.00
Restitution of Park (outlined in Schedule "E")	\$350,000.00
Loss of use of park	\$ 50,000.00
Portion of Utility building for City	<u>\$150,000.00</u>
Total Compensation	\$550,001.00

Appendix "C" as referred to in
Section 1 of the Fourth
Report of the Parks and
Recreation Committee for 1996



Attached to and forming part of the Offer to Purchase (Easement) between The Corporation of the City of Hamilton, as Vendor and The Regional Municipality of Hamilton-Wentworth, as Purchaser.



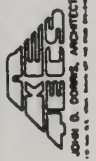


ROOF PLAN

REGIONAL MUNICIPALITY OF
HAMILTON -- WENTWORTH

EASTWOOD PARK
COMBINED SEWER OVERFLOW FACILITY
CONTROL BUILDING PLAN

9510002	9510002	9510002
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THOMSON POWER
Consulting Engineers
Mississauga, Ontario

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application 95-31, Metropolitan Hamilton Real Estate Board, owner, for a further modification to the established "L-mr-2" (Planned Development - Multiple Residential) District regulations, to permit the temporary use of lands for a Public Parking Lot for a period of 3 years, under Section 39 of the Planning Act, for property located at 39-41 Devonport Street, as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the "L-mr-2" (Planned Development - Multiple Residential) District regulations as contained in Section 17B(6)(a)(iii) of Zoning By-law No. 6593, as amended by By-law Nos. 90-272, 82-225 and 80-278, be further modified to in accordance with Section 39 of the Planning Act, to permit the temporary use of the lands for the parking of motor vehicles, accessory to the use of the land at No. 505 York Boulevard, for a period not exceeding three-years from the day of the passing of the By-law;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-717c, and that the subject lands on Zoning District Map W-11 be notated S-717c;
 - (iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council;
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending Zoning By-law not be forwarded for passage by City Council until such time as the owner has entered into the necessary landscaping and encroachment agreements with the City of Hamilton.

2. A. Notwithstanding the vacancy rate for rental apartment units, and specifically for two-bedroom units, is less than 2 percent, Application CD-95-012, under the Rental Housing Protection Act, 445797 Ontario Inc. (Darko Vranich), owner, for conversion of 59 rental apartment units to condominium units for the property located at 81 Charlton Avenue East, be approved due to the following extenuating circumstances:
 - (a) the building has had a large number of vacancies over the past five years and by the end of February, all the units will be vacant;
 - (b) the building requires extensive renovations to make it habitable; and,
 - (c) it provides the opportunity for affordable ownership housing in close proximity to the downtown.
- B. The following conditions should be included as part of the approval of Application CD-95-012, under the Rental Housing Protection Act, 445797 Ontario Inc. (Darko Vranich), owner, :
 - (a) That this RHPA approval shall cease and be at an end,
 - (i) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;
 - (b) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the City Solicitor, incorporating the City's conditions of approval listed herein and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;
 - (c) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;
 - (d) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,

- (e) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
 - (f) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
- 3. That the Purchasing Manager be authorized and directed to issue an Open Order to Oakridge Landscape Contractors Ltd., on behalf of the Treasury and Building Departments, based on prices received for Quotation C18-1-96, to provide final lot grading and sodding as and when required during 1996 in various subdivisions, being the lowest of three quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090.
- 4.
 - (a) That the Building Commissioner be authorized to issue a demolition permit for 120 Wilson Street, once the owner obtains a building permit and has registered on title to the land an Agreement with the City, whereby the owner agrees to construct and substantially complete a new building on the site within two years from the day demolition of the existing residential building is commenced; and,
 - (b) That failure to complete the new building within the time specified, the City shall collect the maximum sum of \$20,000. for the single family dwelling unit in a like manner as municipal taxes. The condition for redevelopment shall be registered on title in accordance with the provisions of the Planning Act; and,
 - (c) That the owner's lawyer shall prepare and register the Agreement at the owner's expense in a form satisfactory to the City Solicitor, against the land.
- 5. That the Building Commissioner be authorized to issue a demolition permit for 107 Graham Avenue North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Acting Mayor Wilson, Aldermen Kiss, Copps. -3. **CARRIED.**

6. That the Building Commissioner be authorized to issue a demolition permit for 93 Niagara Street in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
7. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings regarding appeals to the following Committee of Adjustment decisions:
 - (a) to deny application A-95-258 respecting property located at 550 Fennell Avenue East; and,
 - (b) to deny application A-95-278 respecting property located at 1379 Upper James Street.
8. That the City, through the Department of Planning and Development, apply on behalf of Christ's Church Cathedral for the Technical Consulting Service offered by the Ontario Historical Society in co-operation with the Ministry of Citizenship, Culture and Recreation for the purpose of repairing the large stained-glass window on the east wall of the chancel.
9. That the 1996 April 24 meeting of the Planning and Development Committee be rescheduled to 1996 April 17 at 9:30 a.m. in Room 233, City Hall.
10. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-08 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 93-190 Respecting Lands Located at Municipal Nos. 236-250 Rymal Road West.
 - (b) C-09 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 90-43 Respecting Land Located at Municipal No. 1050 Rymal Road East.
 - (c) C-10 A By-law to amend Zoning By-law No. 6593 Respecting Special Requirements for Front Yard Landscaping.
 - (d) C-11 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 90-311 Respecting Lands Located West of Garth Street and North of Gisele Drive, known Municipally as No. 1600 Garth Street.
 - (e) C-12 A By-law to amend Zoning By-law No. 6593 Respecting Parking Standards for Residential Conversions in the Central Business District

- (f) C-13 A By-law to revise the Concession Community Improvement Plan, the Downtown Hamilton Community Improvement Plan, the International Village Community Improvement Plan, the Main Street West Community Improvement Plan, the Ottawa Street North Community Improvement Plan, the Westdale Village community Improvement Plan.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 March 6**

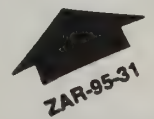
Appendix "A" referred to in
Section 1. (a) of the **FOURTH** Report
of the Planning and Development
Committee for 1996.



Legend



Site of the Application



APPENDIX "A"

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 5970/94 by the payment to the Plaintiffs Joan, Gordon, Tanya and Craig Vacon of the sum of Three Thousand Dollars (\$3,000.) inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 5970/94 be dismissed without costs.
2.
 - (a) That the City resolve Ontario Court (General Division) Action No. 6090/94 by the payment to the Plaintiff Susan Breckon of the sum of Two Thousand Four Hundred Dollars (\$2,400.), inclusive of all claims for damages, interest and costs; and,
 - (b) That the plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 6090/94 be dismissed without costs.
3. That approval be given to the action taken by the City Clerk in authorizing the Culture and Recreation Department to use the Council Chamber on Saturday, 1996 February 17 from 9:00 o'clock a.m. until 1:00 o'clock p.m. for the Community Infrastructure Study.

4. That approval be given to the request of the Hamilton Area House of Prayer to use the Council Chamber on Saturday, 1996 April 20 from 9:00 o'clock a.m. to 4:30 o'clock p.m. for a Day of Prayer Service.
5. That approval be given to the request of Hamilton Sesquicentennial Celebrations Inc. to use the Forecourt and Meeting Rooms 264 and 219, from 7:00 o'clock a.m. until 5:00 o'clock p.m., and the Council Chamber Balcony from 9:00 o'clock a.m. until 3:00 o'clock p.m., on Friday, 1996 July 12 for a Summer Birthday Celebration.
6. (a) That Schedule 15 of City of Hamilton Licencing Code 1993, being By-law 93-069 as amended, be further amended as follows:
 - (i) The definition of "Public Hall" be replaced with the following:

"Public Hall" means premises or a part thereof, including a portable building or tent, used as a place of assembly which is operated as a business, where members of the public gather for the purpose of any meeting, dancing or entertainment, but does not include premises used solely for religious purposes or a theatre within the meaning of the Theatres Act, R.S.O. 1990, c. T-6, as amended; and,
 - (ii) Section 3, which required the licence certificate to include the maximum capacity of the hall, be repealed; and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary by-law amendment.
7. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 February 22, attached herewith and marked Appendix "A", be approved.
8. That the City Solicitor be authorized and directed to prepare amendments to By-Law 10777 to delete in Article 4, the words "with the exception of the Fire Chief".
9. (a) That the City quit claim and release a triangular parcel of land measuring approximately 1 metre by 29 metres (Part 2, Plan 62R-6632) between 242 and 244 Emerald Street North to Linda DeRosa, the owner of 244 Emerald Street North; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the Quit Claim Deed prepared in a form satisfactory to the City Solicitor.
10. That the 1996 April 23rd meeting of the Finance and Administration Committee be rescheduled to 1996 April 16th at 1:30 o'clock p.m. in Room 233, City Hall.
11. (a) That the City exercise its option and renew the Service Agreement (Ref: C15-1-92) for 1996 with Sunshine Building Maintenance Inc. of Burlington, Ontario to provide caretaking services, in accordance with the specifications issued by the Purchasing Division, at MacNab, Dalewood, Ryerson and Westmount Recreation Centres in the amount of \$118,787.59 inclusive of GST (\$7,771.15); and,
- (b) That the City exercise its option to renew the Service Agreement (Ref: C15-1-92) for 1996 with Alpha Cleaning Services Hamilton Inc. of Hamilton, Ontario to provide caretaking services, in accordance with the specifications issued by the Purchasing Division, at Bennetto, Norman "Pinky" Lewis, Churchill and Hillpark Recreation Centres in the amount of \$114,181.37 inclusive of GST (\$7,469.81); and,
- (c) That a further option to extend for one additional year (1997) be available to the City to review at or near the end of 1996 at which time the appropriate recommendation will be brought forward to Committee and Council for the necessary approval.
12. That portable signs not be permitted on the property known as Commonwealth Square without Council approval, with the exception of the signboard currently in place at the corner of Summer's Lane and Main Street West, which is controlled by the Hamilton Parking Authority.

Recorded vote.

YEAS: Acting Mayor Wilson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-11 A By-law to Amend By-law No. 10777 to Authorize Participation in the Ontario Municipal Employees Retirement System.
 - (b) D-12 A By-law to Amend Licensing By-law No. 93-069 respecting Licence Fees.
 - (c) D-13 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
14. That approval be given to the request of David Christopherson MPP to use the Council Chambers for a Public Meeting on Wednesday, 1996 March 13 from 7:00 o'clock p.m. to 9:00 o'clock p.m. **ADDED.**
15. That approval be given to the action taken by the Acting City Clerk in authorizing a group of OAC English Students from St. Jean de Brebeuf Catholic Secondary School to use the Council Chamber for a recorded debate on Hamlet, on Monday, 1996 March 11 from 9:00 o'clock a.m. to 12:00 o'clock noon. **ADDED.**
16. That approval be given to the action taken by the Acting City Clerk in advising the LLBO that a further addition of venue of The Crazy Horse Saloon on 21 John Street South be added to those previously supported by City Council in their request for extension of hours on Saturday, 1996 March 9th for the Hamilton Music Scene '96 Festival being held in conjunction with the Juno Awards. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Tina Agnello
Acting Secretary
1996 March 5**

Appendix "A" referred
to in Section 7 of the
FIFTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Andrea Ciparis	I	Sales Co-ordinator/ Secretary (8)	H.E.C.F.I.	Replacing Ms. C. Bogie -- transferred, Dec. 06/95	\$25,061.40 to \$29,260.92	Feb. 05/96

Prepared February 22, 1996

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Brian Allick	Manager Field Services	Building	Retired	22 years, 9 months	Feb. 29/96

Prepared February 22, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1996 and respectfully recommends:

1. That Alderman Marvin Caplan be appointed as a Council Representative to serve on the Mayor's Committee Against Racism and Discrimination for a term to expire 1997 November 30; and,
2. That Eleanor Rodney be appointed as a Citizen Member to serve on the Mayor's Advisory Council Against Racism and Discrimination, to fill a vacancy created by a resigning member, for a term to expire 1997 November 30.

RESPECTFULLY SUBMITTED

Mayor Robert M. Morrow
Mayor

Stella Glover,
Secretary

1996 February 26

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1996

CITY CLERK'S OFFICE

MEMORANDUM

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

FROM: Mr. J. J. Schatz
City Clerk

PHONE: 546-4645

SUBJECT: CITY COUNCIL MEETING

DATE: 1996 March 28

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held March 26, 1996.

Please undertake to carry out the directions of City Council.

JJS/dg
att.

Minutes of Hamilton City Council
Tuesday, 1996 March 26
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman V. Agro - vacation

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father George Vukelich, St. Nicholas Serbian Church led Council in prayer.

PRESENTATIONS

- (a) Mayor R. Morrow introduced to the Members of City Council Judy Marsales as the new President of the Chamber of Commerce.
- (b) Mayor Morrow presented a Retirement Certificate to Mr. Larry Krouse who retired from the City with 22 years of service from the Cemeteries Division of the Public Works Department.
- (c) Mayor Morrow presented a Certificate of Recognition to Mr. Mike Roach who served as Past Chairman of the Hamilton Veterans' Committee.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 March 12 were adopted as circulated.

CORRESPONDENCE

1. Letter from J. J. Schatz, City Clerk advising of an objection to By-law No. 96-018 respecting property at 1270 Upper James Street, Hamilton, Ontario.

Received.

2. Application from George Lima for a modification to the "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District for 18 Homewood Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - FIFTH REPORT

Section 5 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps,
Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -
15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 10 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps,
Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -
15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 11 (a) Re: Hamilton Hornets Rugby Football Club - Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -
15

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 11 (b) Re: Alcohol in Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Copps, Charters, Jackson. -3.

CARRIED.

* * * * *

Section 17 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 22 Re: Chedoke and King's Forest Golf Pros - Negotiations

It was moved by Alderman Eisenberger and seconded by Alderman Ross that Section 22 of the Fifth Report of the Parks and Recreation Committee for 1996 be referred back.

CARRIED.

* * * * *

Rule No. 9 Re: User Fees for Culture and Recreation Activities

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a Bill respecting the revision of user fees for Culture and Recreation Activities.

CARRIED.

* * * * *

Re: User Fees for Culture and Recreation Activities

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the Fifth Report of the Parks and Recreation Committee for 1996 be amended by adding Section 23 as follows:

23. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-2 A By-law to Revise the User Fees for Culture and Recreation Activities
CARRIED.

* * * * *

Section 24 Re: Iceco Arena Services and Equipmemt

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the Fifth Report of the Parks and Recreation Committee for 1996 be amended by adding the following as Section 24:

24. That approval be granted to open a Purchase Order in favour of Iceco Arena Services and Equipment as the Interim Operator for a period of three (3) months at a cost of \$36,000. monthly plus G.S.T. for the interim ice maintenance, cleaning and administration of the Chedoke Twin Pad Arena as outlined in Appendix "E" attached hereto.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -
15

NAYS: Alderman Merling. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 5 Re: Site Plan Control Application - 775 and 779 Upper Wentworth

It was moved by Alderman Drury and seconded by Alderman Charters that Section 5 of the Fifth Report of the Planning and Development Committee for 1996 be amended by deleting subsection (a) regarding site plan approval.
CARRIED.

* * * * *

Section 9 Re: Marco and Fernando Tollis - 422 Barton Street East.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 16 (e) Bill No. C-18 A By-law Respecting the Regulation of Billboards Third Party Signs.

It was moved by Alderman Drury and seconded by Alderman Charters that Section 16 (e) of the Fifth Report of the Planning and Development Committee be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Eisenberger. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - SIXTH REPORT
--

Section 13 Re: Hamilton and District Labour Council - Day's of Protest

It was moved by Alderman Charters and seconded by Alderman Ross that Section 13 of the Sixth Report of the Finance and Administration Committee be amended by deleting the words "including court action" in the first line.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 15 Re: Business Plan for Grey Cup '96

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Aldermen Copps, Merling. -2.

CARRIED.

* * * * *

Rule No. 9 Section 16 Re: Dog Licence Fees

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a by-law for Dog Licence fees. **CARRIED.**

* * * * *

Section 16 (i) Re: Dog Licence Fees

It was moved by Alderman Charters and seconded by Alderman Jackson that the following Bill be added as sub-section (i) of Section 16 of the Sixth Report for 1996 of the Finance and Administration Committee:

16. (i) D-22 A By-law to amend By-law No. 85-148 respecting Dog Licence Fees. **CARRIED.**

* * * * *

Rule No. 9 Section 17 Re: Use of Council Chambers

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the use of the Council Chamber

CARRIED.

* * * * *

Section 17 Re: Use of Council Chambers

It was moved by Alderman Charters and seconded by Alderman Jackson that the Sixth Report of the Finance and Administration Committee for 1996 be amended by adding Section 17 as follows:

17. That approval be given to the request of Napier-Andrews Communications to use the Council Chambers to tape a segment of a non-political, industrial video for the Canadian Comprehensive Auditing Corporation from 8:00 a.m. to 9:30 a.m. on Friday, 1996 March 29.

CARRIED.

* * * * *

Rule No. 9 Section 18 Re: A Settlement

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a settlement.

CARRIED.

* * * * *

Section 18 Re: Settlement

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 18 of the Sixth Report for 1996 of the Finance and Administration Committee:

- "18. (a) That the City resolve Ontario Court (General Division) Action #7309/94 by the payment to the Plaintiff, Joan Pfister, of the sum of \$2,000 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Action #7309/94 be dismissed without costs." **CARRIED.**

ACTING MAYOR FOR THE MONTH OF APRIL, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman C. Collins be appointed Acting Mayor for the month of April 1996.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:15 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 March 26
JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. That approval as required by Parks By-law No. 95-126, Section 29 be granted to the Hamilton Wentworth Creative Arts Inc. to use Kay Drage Park for the parking of vehicles during the Earthsong Festival that is being held at Princess Point on 1996 June 28 to July 1, subject to the following terms and conditions:
 - (a) That proof of \$3 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted thirty (30) days in advance of the event and naming the City as co-insured with a cross liability endorsement; and,
 - (b) That the applicant assumes responsibility for all labour-related charges associated with the event, (set-up, dismantling, clean-up, etc.); and,
 - (c) That Special Duty Officers, as deemed necessary, by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
2. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the 1996 Ontario Parks Association 'Golf Day' to be held at King's Forest Golf Course on 1996 July 19.
3. That permission be granted to charge green fees on a buy three (3) get one (1) free basis for the Ontario Association of Cemeteries and Ontario Funeral Services Association Golf Tournament to be held at King's Forest Golf Course on 1996 September 16.
4. That permission be granted to waive the green fees for the Canadian Cancer Society's 'Longest Day of Golf' to be played at King's Forest and Chedoke Golf Courses on 1996 June 21.

5. (a) That approval as required by Parks By-Law 95-126, Section 11, Section 29, Section 35 and Section 37 be given to the organizations as follows:
- (i) Festitalia Corporation Family Style Picnic - Bayfront Park
1996 August 3, 4, and 5, 12:00 o'clock noon - 9:00 o'clock p.m.; and,
 - (ii) Portuguese Association of St. Michael - Dundurn Park Pavilion
1996 May 31 to June 2, 12:00 o'clock noon to 10:00 o'clock p.m.; and,
 - (iii) Creative Arts Inc. - Gage Park
1996 August 9 to August 11, 12:00 o'clock noon to 11:00 o'clock p.m.;
and,
- (b) That approval be subject to the following terms and conditions:
- (i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
 - (ii) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
 - (iii) That all requirements as identified by the Liquor License Board of Ontario are met; and,
 - (iv) That alcoholic beverages be served in a confined area (beer and wine only); and,
 - (v) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (vi) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
 - (vii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (viii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,

- (ix) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
- (x) That the Public Works and Traffic Department's Street Vendors Program at Bayfront, Gage, and Dundurn Parks be allowed to remain open throughout the events; and,
- (xi) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote on Section 5.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1.

CARRIED.

6. That permission be granted as required by Parks By-law No. 95-126, Section 29(a), to Cruzaders Classic Car Club of Hamilton to use Pier 4 Park to park cars for their "50's Flashback Cruise Nights" that are being held on the following dates and subject to the following terms and conditions:

1996 May 24

1996 June 2 and June 21

1996 August 9 and August 25

1996 September 6

- (a) That insurance, in the amount of \$3 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
- (b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up; and,
- (c) A Site Plan of Park to be submitted one month prior to event; and,
- (d) That Special Duty Officers, as deemed necessary by the Hamilton Wentworth Regional Police, be provided at the applicant's expense; and,
- (e) That Public Works - Street Vendors remain open during the event; and,

- (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
- 7.
- (a) That Charisma Advertising and Public Relations Inc. be granted permission to host Hamilton Mayfair Event, 1996 May 7, May 8 and May 9, 4:00 o'clock p.m. to 11:00 o'clock p.m., May 10, 4:00 o'clock p.m. to 12:00 o'clock midnight; May 11, 11:00 o'clock a.m. to 12:00 o'clock midnight; May 12, 11:00 o'clock a.m. to 7:00 o'clock p.m. in Brian Timmis Stadium; and,
 - (b) That approval as required by Parks By-law No. 95-126, Section 29 to park vehicles on Scott Park baseball diamonds be subject to the following terms and conditions:
 - (i) That proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted thirty (30) days in advance, naming the City as co-insured with a cross liability endorsement; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (iv) That Charisma Advertising and P.R. Inc. enter into a Licensing Agreement satisfactory to the City Solicitor; and,
 - (c) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.
8. That approval, as required by Section 26 of the Fireworks By-law No. 90-198, be given to the Greenhill Co-operative Corporation to hold a Fireworks Display on City property located at Quigley and Greenhill on 1996 May 20, raindate 1996 May 26, subject to the following terms and conditions:
- (a) That Greenhill Co-operative Corporation use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1996 May 22; and,

- (c) That Greenhill Co-operative Corporation comply with all sections of By-law No. 90-198; and,
 - (d) That the Greenhill Co-operative Corporation agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
9. That the term of the contract with Patriot Enterprises to provide golf course signage, previously approved by City Council through adoption of Section 11 of the First Report of the Parks and Recreation Committee on 1996 January 30th, be amended to a term of five years commencing Spring 1997, beginning with King's Forest Golf Course, and terminating in the year 2002, for the supply, installation and maintenance of tee signs for the Hamilton Municipal Golf Courses.
10. That approval, as required by Section 11 Parks By-law No. 95-126, be given to the organizations as follows:
- (a) Hamilton Ladies Slo-Pitch Softball Association Inc. - 1996 May 24, 25, 26, Globe Park; and,
 - (b) Wentworth Adult Mixed Slo-Pitch League - 1996 May 31, June 1, 2, - Globe Park; and,
 - (c) Hamilton & District Slo-Pitch Association - 1996 June 15, August 23, 24, 25, Globe Park; and,
 - (d) Hamilton and District Oldtimers Baseball Association, 1996 August 2 to 5, Mohawk Sports Park; and,
 - (e) Hamilton Civic Hospitals League, 1996 June 15, 16, - Turner Park; and,
 - (f) Hamilton Wentworth Police Association 1996 July 13, 14, Turner Park; and,
 - (g) Adverttech Group Ltd. Sesquicentennial Slo-Pitch Tournament 1996 June 21, 22, 23, Turner Park; and,
 - (h) Gourley Park Community Association - 1996 July 6 (Rain: July 13), James MacDonald School Park; and,

to sell alcoholic beverages in those locations and on the dates specified subject to the following terms and conditions:

- (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
- (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (iii) That alcoholic beverages be served in a confined and fenced area of the Park; and,
- (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
- (v) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (vi) That the Concessionaire at Globe Park (if applicable) be contacted to make the necessary arrangements for the provision of food at that location; and,
- (vii) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

11. (a) That the City exercise its option to renew the Licence Agreement with the Hamilton Hornets Rugby Football Club for use of the Clubhouse addition to the Field House and the cement storage area in Mohawk Sports Park for a further term of a five (5) year period, originally approved as Section 15 of the Eighth Report of the Parks and Recreation Committee for 1995 and approved by Council 1995 March 28; and,

Recorded vote on Section 11 (a)

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

- (b) That approval be granted to the Club to sell alcoholic beverages on the following dates and times, by Special Occasion Permits only, and in accordance with the terms and conditions of the Licence Agreement; and,
- (i) Saturdays: 1:00 o'clock p.m. to 1:00 o'clock a.m.
April 27, May 4, 11, 18, 25, June 1, 8, 15, 22, 29, July 6, 13, 20, 27, August 3, 10, 17, 24, 31, September 7, 14, 21, 28, October 5, 12, 19, 26, November 2; and,
- (ii) Tuesdays/Thursdays: 6:00 o'clock p.m. to 11:00 o'clock p.m.
May 2, 7, 9, 14, 16, 21, 23, 28, 30, June 4, 6, 11, 13, 18, 20, 25, 27, July 2, 4, 9, 11, 16, 18, 23, 25, 30, August 1, 6, 8, 13, 15, 20, 22, 27, 29, September 3, 5, 10, 12, 17, 19, 24, 26, October 1, 3, 8, 10, 15, 17, 22, 24, 29, 31; and,
- (iii) Wednesday September 18: 1:00 o'clock p.m. to 1:00 o'clock a.m.

Recorded vote on 11 (b)

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

12. That approval be given to deaccession from Dundurn Castle's collection, the textiles whose accession numbers are listed on Appendix "A" attached hereto.
13. That approval be given to the Director of the Department of Culture and Recreation, on behalf of the City, to apply for six (6) Summer Employment Experience Program (S.E.E.P.) Grants with the Ontario Training and Adjustment Board to hire an Education and Program Assistant for The Hamilton Children's Museum; Museum Clerks for The Hamilton Museum of Steam and Technology and Whitehern; a Collections Assistant for Dundurn Castle; and, a Marketing Assistant for a period of ten (10) weeks at 35 hours per week.
14. (a) That the Hamilton Veterans Committee's Terms of Reference be amended to read as follows:

That the Hamilton Veterans Committee consist of one Member of City Council; the current President of the United Council of Veterans; a Veteran elected at large

by the United Council of Veterans; a current President of a recognized Hamilton Veterans Club; and, one war Veteran and one member (either a veteran or a person from the Regular Forces) recommended by the Veterans holding the previously mentioned appointments; and,

- (b) That the following individuals be appointed to serve on the Hamilton Veterans Committee for a term to expire 1997 November 30:
 - (i) Bill Eisan (Veteran elected at large by the United Council of Veterans); and,
 - (ii) Tom Dean (Member from the Regular Forces recommended by the Members of the Hamilton Veterans Committee).
- 15. (a) That the Director of Culture and Recreation be authorized to conduct a Request for Proposals in accordance with City policy for the management and operation of the Chedoke Twin Pad Arena; and,
- (b) That a Bid Selection Committee be struck by the Chief Administrative Officer and the Director of Culture and Recreation and to include the Chairman of the Parks and Recreation Committee or his designate to review the bids and to report back to Parks and Recreation Committee with a recommended operator no later than 1996 June 15; and,
- (c) That the Director of Culture and Recreation be authorized to contract outside consultative services in support of the bid evaluation process to an upset limit of \$10,000.
- 16. (a) That the part-time Snack Bar Operator position be deleted from the Culture and Recreation Department staff complement and be replaced by a part-time Senior Snack Bar Clerk position; and,
- (b) That documentation for the Senior Snack Bar Clerk position and salary, attached hereto as appendix "B", be approved; and,
- (c) That this recommendation be forwarded to the Finance and Administration Committee for approval.

17. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton Wentworth to use Bayfront, Pier 4 Park, Eastwood and Bayview Parks to host The Greater Hamilton Aquafest, 1996 July 12 - July 21 from 8:00 o'clock a.m. to 11:00 o'clock p.m. subject to the following terms and conditions:
- (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause:
 - (i) Comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City; and,
 - (ii) Owned and Non-Owned Watercraft Liability to a minimum of \$5 million per occurrence; and,
 - (iii) Evidence of Owned Automobile coverage (OPF 1) minimum of \$5 million per occurrence; and,
 - (iv) Evidence of Tenant Legal Liability in the amount of \$5 million per occurrence; and,
 - (v) Evidence of Garage Liability in the amount of \$5 million per occurrence; and,
 - (b) That insurance, in the amount of \$5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, severability provisions and thirty (30) days notice of cancellation, be provided; and,
 - (c) That all requirements of the Liquor Licence of Ontario are met; and,
 - (d) That alcoholic beverages be served in the confined area; and,
 - (e) That the Region and their workers, who are providing alcoholic beverages, be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (f) That the Liquor License Board of Ontario be advised that Hamilton City Council is aware of the Greater Hamilton Aquafest being held this year from 1996 July 12-July 21 at Hamilton Harbour locations and deems this event to be a community festival of municipal significance to the City of Hamilton; and,

- (g) That in this regard, the City of Hamilton has no objections to the issuance of a temporary extension of a liquor license to the following licensed establishments in conjunction with the AquaFest activities:
 - (i) Macassa Bay Yacht Club
 - (ii) Leander Rowing Club
 - (iii) Royal Hamilton Yacht Club; and,
- (h) That the Liquor License Board of Ontario be advised that the following community organizations will be applying for a Special Occasion Permit under community festival of municipal significance:
 - (i) Kinsman Club
 - (ii) Kiwanis
 - (iii) Rotary Club of Hamilton East
 - (iv) Hamilton Ships Company of 1812
 - (v) Hamilton Dragon Boat Society; and,
- (i) That the Region of Hamilton enter into a License Agreement Satisfactory to the City Solicitor; and,
- (j) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (k) That the Region assume responsibility for all labour-related costs as a result of this event, including setup and cleanup; and,
- (l) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
- (m) That the Public Works Departments's Street Vendors' Program at Bayfront and Pier 4 Parks be allowed to remain open throughout the festival; and,
- (n) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.P.) be advised of this event and be invited to attend in order to monitor the event's activities.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

18. (a) That the sites identified in Appendix "C" be approved for inclusion in the City's Naturalization Programm; and,
- (b) That staff be authorized to advise adjacent area residents of the Grass Maintenance Naturalization Programme through signage and information notices.
19. (a) That subject to receipt of correspondence from the Kinsmen Club of Hamilton prior to City Council on 1996 March 26, wherein a definite financial commitment is made; and,
- (b) That approval be given to proceed with the ordering and installation of an integrated creative play structure at Gage Park in advance of the respective fundraising obligations being remitted to the City; and,
- (c) That, if approved, upon remittance of the Kinsmen Club of Hamilton commitment, these funds be deposited to Capital Account CF 62965211 - Integrated Play Structure for Gage Park; and,
- (d) That, if approved, a purchase order be issued to Little Tikes Commercial Play Systems (Canada) Inc. of Paris, Ontario, in the amount of \$70,000. including G.S.T. for the supply and installation of an integrated play structure at Gage Park.
20. That the following sites be approved as the locations for the redevelopment of creative play structures within the approved capital funding allocation (1995 - \$303,000., 1996 - \$900,000.).

Jackson Park
Beulah Park
Mapleside (Radial) Park
Victoria Park
Burton/Douglas Park
Lifesaver Park
Myrtle Park

A.M. Cunningham School
Fairfield School
Andy Warburton Park
Parkdale School
Glendale Park
Warden Park
St. Agnes Park

Lisgar Park
Peace Memorial School
Bruce Park
Inch Park
Thornbrae School
Wm. McCulloch Park
Fonthill Park

21. (a) That the City of Hamilton enter into a Lease Agreement with the Regional Municipality of Hamilton-Wentworth to lease Waterworks Pipeline lands from Province Street North to Huxley Avenue North for use as a park in accordance with the approved concept plan attached hereto as Appendix "D"; and,
- (b) That the lease Agreement contain the following terms and conditions:
- (i) Term - Commences 1996 May 1 and terminates 2016 April 30; and,

- (ii) Rental Rate - \$1. per year plus any applicable taxes; and,
 - (iii) The City of Hamilton pay for all operating costs associated with the use of the leased area including grass cutting, snow removal on the abutting sidewalks and walkways within the park and assume all liabilities arising out of this recreational use; and,
 - (iv) The City shall not interfere with the Region's maintenance and repairs of the waterworks pipeline; and,
 - (v) Should the Region need to operate or repair the pipeline the City will be responsible for all the costs of restoring the Park; and,
 - (vi) That the Commissioner of Transportation and Environmental Services approve all plans prior to construction; and,
 - (vii) The Lease be automatically renewed following the term herein expressed from year to year under the same terms and conditions unless terminated by either party by giving six (6) months written notice; and,
 - (viii) That the Lease Agreement be prepared in a form satisfactory to the City Solicitor; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

22. (a) That the Director of Culture and Recreation be authorized to negotiate revised one year contracts, with the option to extend the contracts over two, one year periods, with the Chedoke and King's Forest Golf Pros, satisfactory to the City Solicitor; and,

(b) That a review of the City golf course operations, including audited statements be presented to the Parks and Recreation Committee annually.

REFERRED BACK.

23. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-2 A By-law to Revise the User Fees for Culture and Recreation Activities
ADDED.

24. That approval be granted to open a Purchase Order in favour of Iceco Arena Services and Equipment as the Interim Operator for a period of three (3) months at a cost of \$36,000. monthly plus G.S.T. for the interim ice maintenance, cleaning and administration of the Chedoke Twin Pad Arena as outlined in Appendix "E" attached hereto. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Merling. -1.

CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 March 19

Appendix "A" as referred to in
Section 12 of the Fifth Report of
the Parks and Recreation Committee
for 1996

TEXTILE ARTIFACTS - DUNDURN CASTLE

1971.2	OC.335.27	1971.21.153b	OC.335.58
1.119	OC.335.26a	1971.21.153a	1971.20.120
1971.21.96	OC.335.23	1971.21.138	OC.361.14
OC.361.28b	OC.335.26b	1971.20.71	OC.361.53
OC.335.105	98.19.7	OC.330.1	OC.919.1
OC.330.14	OC.335.3	OC.361.101	OC.335.8b
1971.20.65	58.16.7	OC.361.80b	OC.335.8a
OC.361.86b	OC.329.35	OC.361.25	OC.335.7
OC.361.86a	OC.808.1	1979.20.20	OC.335.24
OC.564.34	1971.20.209	OC.329.10	OC.329.33
OC.361.95	OC.335.29	1971.21.150	OC.329.29
OC.361.100b	1971.20.121	OC.335.98	OC.335.6b
OC.361.100a	1977.12.8	OC.361.24	OC.335.6a
OC.366.119	OC.330.16	OC.335.101	OC.361.42
OC.366.120	OC.564.36	OC.361.69	OC.335.25
1971.21.120a	1971.20.204	1971.20.193	1971.21.123
1971.21.120b	1971.20.236b	OC.329.19	1188
1980.1.17	OC.330.24	OC.329.23	1971.21.137
1971.20.14	1971.20.236a	OC.329.21	OC.335.45
1971.21.87a	OC.330.15	OC.329.20	OC.335.89
1971.21.87b	1971.21.141	OC.329.18	OC.871.1
OC.361.88	1971.21.145	OC.329.22	OC.335.94
OC.329.30	OC.361.47	1971.20.147	OC.335.100
OC.361.10	1971.21.139g	OC.335.38	OC.329.34
OC.912.1	OC.366.110	OC.329.13	1971.21.79
1971.20.22	1971.21.139d	OC.329.12	1971.21.139b
OC.330.7	1971.21.139c	OC.329.14	OC.329.31
OC.336.10a	OC.361.30	1983.73.1	OC.335.71
OC.329.49	OC.361.58	1971.20.162	1971.21.81
OC.329.40	OC.335.50	OC.329.39	1994.2.3
OC.361.111	OC.329.24	OC.335.14b	1971.20.198
OC.361.78a	OC.330.20	OC.335.14a	1971.20.159
1977.12.2	OC.361.49	OC.975.1	1979.35
1971.21.147	1971.20.196	OC.564.36	1971.20.77
1971.20.223	60.13.5	1980.1.3a	OC.804.1

OC.335.13a	OC.984.1	OC.361.7	1971.377.1
1971.20.194	OC.361.9	OC.335.85	OC.329.50
OC.335.10	OC.361.34	OC.361.64	OC.329.3
OC.335.13b	OC.329.44	OC.361.40	58.20
1976.11.15	OC.335.12	OC.361.15	OC.335.79
OC.335.78	OC.361.22	OC.361.3	OC.335.64
OC.335.67	1971.20.230b	OC.361.44	OC.335.91
OC.335.70	1971.376.1	OC.335.65	OC.335.80
1971.378.1	1971.20.230a	OC.335.92	OC.329.7
1971.374.1	1971.20.226c	OC.335.97	1971.20.183
OC.867.1	1971.20.226b	OC.335.109b	1971.20.146
1971.21.83	OC.329.9	OC.336.109a	58.1.9
1971.21.82a	OC.335.4	OC.335.102	58.1.7
1971.20.206b	1976.11.37	OC.335.81	OC.361.33
1971.20.206a	1971.20.174	OC.335.103	1971.20.164
1989.1.22	OC.361.2a	OC.335.104	OC.335.17
OC.329.41	OC.361.2b	OC.361.39	OC.361.48
OC.361.65	OC.361.76b	OC.361.41	OC.335.39
1977.12.11a	OC.361.77b	OC.361.16	OC.361.20
1977.12.7	OC.361.76a	OC.335.95	OC.361.75
OC.361.18	OC.361.77a	1971.20.123	1971.20.160
OC.361.12	1971.21.101a	OC.329.16	OC.986.1
1977.12.1	1971.21.101b	OC.329.11	OC.335.97
OC.329.36b	1978.4.28	1971.20.74	OC.564.43
OC.329.36a	1971.21.93	OC.361.26	OC.329.42
1977.12.10	1971.21.107	1971.20.104	OC.329.46
OC.361.85	1971.21.137	1971.20.119	OC.361.45.2
OC.361.32b	OC.335.96	1971.21.127	OC.361.45.3
1977.12.11b	1971.21.121	1971.21.95	OC.361.45.4
OC.361.35	OC.330.11	OC.335.57	OC.361.45.1
1994.2.2	OC.361.13	1971.21.140	1971.21.89
1994.2.1	1971.20.101	OC.329.15	1971.21.90
OC.335.76	OC.335.93	1971.20.88	1971.21.112
58.7		1971.20.99	OC.335.44
OC.361.31	OC.335.82	1971.20.115	OC.335.43
OC.335.18	1971.21.114	1971.20.72	OC.335.99
OC.335.69	1971.21.136	OC.335.35	OC.335.90
1971.20.173	1971.21.100b	OC.329.55	OC.361.87
OC.335.33	1971.21.117	OC.335.37	1971.21.130
	1971.21.98b	1985.104.17	1971.21.134
OC.335.68	1971.21.108a	OC.335.61	1971.21.135
1979.36	1971.21.100a	1985.104.16	1971.21.132
979.7.1	1971.21.111	1971.20.124	1971.21.133
OC.361.19	OC.361.72	OC.335.106a	1971.21.131
OC.335.108a	OC.361.6	1985.104.15	1971.21.110
OC.335.108b	OC.361.5b	OC.329.48	OC.361.70
OC.335.31	OC.361.38	OC.911.1	OC.361.80a
OC.361.32a	OC.361.5a	58.19.7	OC.361.81a
OC.361.8	OC.361.4	1971.21.139f	OC.361.81b
OC.361.11	OC.361.83	1971.21.139b	OC.853.1

- 3 -

OC.361.73	OC.335.21	1971.20.79	1976.11.9
OC.335.49	OC.361.59	1971.20.84	1976.11.21
OC.361.29	OC.992.1	1971.20.93	1976.11.32
1971.20.82	1971.20.166	1971.20.85	1971.20.219
OC.361.63b	1971.20.158	1971.20.96	1971.20.235
OC.361.63a	1971.20.154	1971.20.97	1971.21.82b
OC.361.56	1971.20.188	OC.987.1	1971.21.82c
OC.335.32	OC.335.5	OC.1003.1	OC335.16
OC.335.42	1971.20.178	OC.1984.1	1971.20.222a
OC.361.54	1971.20.181	OC.1021.1	OC329.8
1971.20.103	1977.12.12a	1971.20.149	OC335.2
OC.335.75	OC.335.11b	1971.20.153	1971.20.215
1971.20.125	OC.335.11a	1971.20.202	OC.1045.1
OC.335.54	OC.335.11c	1971.20.170	1971.20.75
OC.335.55	1988.1.21	1971.20.191	OC747.1
976.13.7	OC.329.45	1976.11.6	OC361.982
OC.335.56	OC.329.37b	1976.11.23	OC746.1
OC.991.1	OC.329.43	1976.11.28	1975.10.14
1971.20.100	OC.329.37a	1976.11.9	OC766.1
1971.20.102	OC.1046.1	OC336.8b	OC748.1
OC.335.41	1971.20.106	1971.20.40	OC749.1
OC.916.1	1971.20.105	OC336.8a	OC765.1
OC.914.1	1971.20.132	OC336.10b	OC335.84
OC.335.83	OC.329.2	1971.20.38	OC744.1
1971.21.109	OC.329.25	OC336.16	1992.4.1
1971.21.113	1971.20.117	1976.11.70	OC.768.1
1971.21.115	1971.20.107	OC336.14.2	1971.21.29
1971.21.118	1971.20.118	1976.11.69	1971.20.238
58.18.5	1978.4.35	1971.20.155	1971.20.145
OC.335.34	OC.335.62	1976.11.10	1971.20.229
OC.335.63	OC.335.36	1976.11.11	1977.12.12a
OC.335.113a	OC.335.59	1976.11.24	1971.20.208
OC.335.113b	OC.335.72	1976.11.12	1971.20.214
OC.335.15	1971.20.98	1976.11.16	1976.11.27
OC.335.114b	1971.20.112	1976.11.18	1976.11.13
OC.335.114a	1971.20.109	1976.11.14	1976.11.5
1971.21.126	1971.20.76	1976.11.30	1976.11.4
1971.20.108	OC.361.51	1976.11.17	1982.25.2
1971.20.73	1971.20.175	1976.11.20	1971.20.207
1971.20.81	1971.20.150	1976.11.19	OC.335.9
1971.20.110	1971.20.180	1976.11.31	1971.20.192
1971.20.127	1971.21.92	1976.11.42	OC761.1
1971.20.89	OC.989.1	1971.20.165	OC978.1
OC.329.56	58.1.2	1976.11.25	1971.20.92
OC.361.57	58.1.11	1976.11.26	1978.4.34
OC.361.55	58.1.5	1976.11.29	1971.20.95
1971.21.129	58.1.4	1976.11.22	OC767.1
OC.335.20	1979.20.80	1976.11.8	OC869.1

- 4 -

OC335.30	OC335.38
1971.20.228b	1971.21.153b
1971.20.228a	1971.21.138
1971.20.169	OC329.19
1971.20.197	OC329.18
OC335.46	1971.20.193
1980.1.23	1971.21.145
OC361.99	OC361.24
1971.20.156	OC335.98
OC329.17	OC361.69
OC1044.1	OC335.101
OC564.59	1971.21.115
OC564.37	1971.21.139
OC564.40.2	1971.21.139d
OC564.40.3	1971.21.139c
OC564.38	OC361.25
OC564.40.1	OC330.1
1978.4.4	OC330.20
OC335.14a	1971.20.20
OC335.14b	OC329.14
OC564.35	OC329.12
OC975.1	OC329.13
1983.73.1	OC361.80w
OC329.39	OC361.101
1971.20.204	1971.20.71
60.13.5	1971.20.147
OC366.119	1971.21.77
1971.20.162	1971.20.210
OC330.16	1971.20.213
OC564.36	OC977.1
1977.12.8	1971.21.1939a
1971.21.141	1971.21.1339e
1971.21.153a	OC330.23
1971.20.236a	OC.335.22
OC330.24	
OC330.15	
1971.20.196	
OC361.49	
OC329.24	
OC335.50	
OC361.58	
OC361.30	
OC361.47	
OC329.22	
OC329.10	
OC329.20	
OC329.21	
OC329.23	

THE CORPORATION OF THE CITY OF HAMILTON

JOB TITLE:	Senior Snack Bar Clerk	POSITION NO. CCR 136
DEPARTMENT:	Culture and Recreation	
SECTION:	Arenas and Technical Services	
DIVISION:	Concessions	

JOB SUMMARY: Reporting to the Food Services Co-Ordinator, responsible for the operation of refreshment concessions at various locations by providing quick courteous service, maintaining cleanliness standards and security of the concessions as set down by the Department, ensuring continuous high customer service standards and restocking of concessions to ensure smooth operation.

SPECIFIC DUTIES:

Responsible for daily operation of concession by being familiar with operating procedures such as opening, closing, customer service, stock sold, prices, etc.

Open and close snack bar by ensuring security.

Attend to customers in a courteous and tactful manner.

Ensure work station is stocked with food, drinks and supplies.

Monitor and order supplies to ensure adequate stock.

Prepare food for sale.

Count cash and balance float each shift.

Clean and maintain soft drink and hot chocolate dispensers, microwave, coffee water, hotdog roller, bun steamer, popcorn maker, etc.

Operate cash resister and balance cash. Prepare bank deposits for deposit by Supervisor.

Restock machines with supplies as needed.

Clean counter and floor in work area.

Prepare work schedules in conjunction with Food Services Co-ordinator.

Train staff in food services preparation and sales.

Perform other duties as assigned which are directly related to the operation of a snack bar.

QUALIFICATIONS:

Must possess Grade 10 Education or related experience.

Must be able to operate electronic cash register including taking readings.

Must have the ability to relate with the public in a courteous and tactful manner.

Ability to schedule work.

Salary: \$8.267 per hour

Hours: varies according to season.

Appendix "C" as referred to in
Section 18 of the Fifth Report of the
Parks and Recreation Committee for 1996

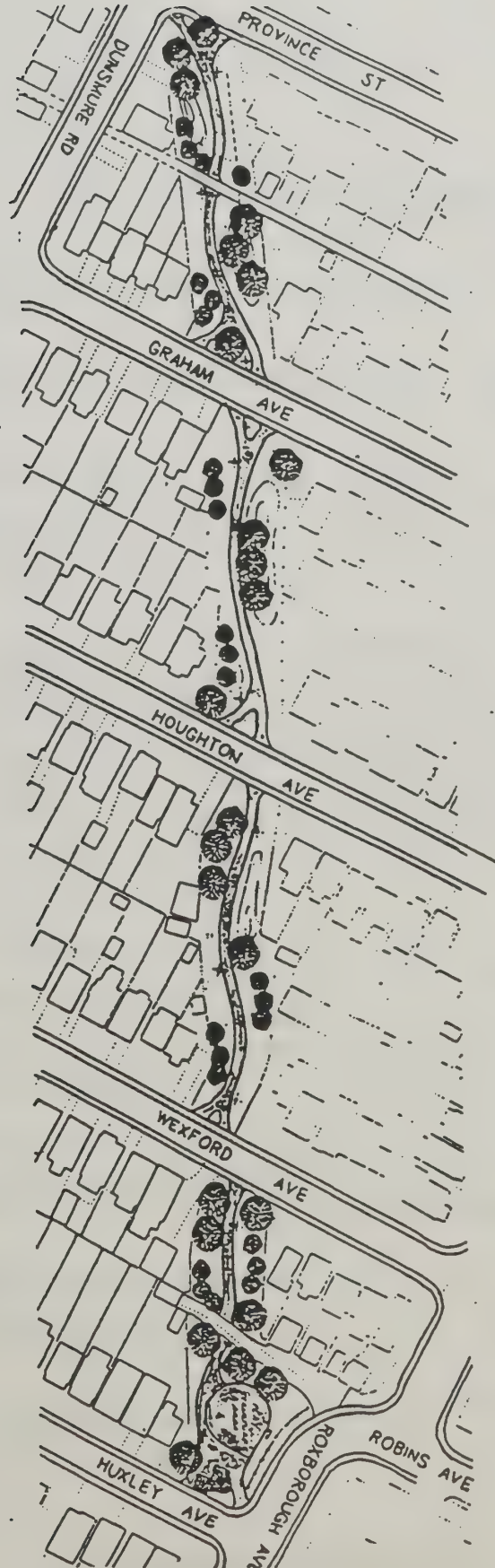
GRASS MAINTENANCE AREAS FOR NATURALIZATION 1996

<u>Park Name</u>	<u>Ward</u>	<u>Total Hectares/</u>	<u>Total Acres +/-</u>	<u>Area to be Naturalized Description</u>	<u>Hectares/</u>	<u>Acres +/-</u>
Cathedral Park, 624 Main Street West	1	3.2	8.01	entire park except Cricket Pitch	2.4	6.0
Churchill Park 145 Cline Avenue	1	28.0	70.0	perimeter of woodlot	0.8	2.0
Strachan Street Properties	2	2.0	5.0	vacant lots	2.0	5.0
Gage Park, 1000 Main Street West	3	28.9	71.4	wetland area between ball diamond and Montclair access	2.0	5.0
Hillcrest Park, 485 Queenston Road	4	37.1	91.7	passive area at rear of property near Armstrong	2.0	5.0
Beach Strip Park No. 1 546 Beach Boulevard (behind Skyway Canvas)	5	.5	1.2	completely passive	.5	1.2
Country Club Drive Park, 80 Country Club Drive	5	1.8	4.3	completely passive	1.8	4.3
Father Sean O'Sullivan Park, Chert Avenue	5	5.9	14.5	passive area off Greenhill	2.0	5.0
Lake and Barton, 140 Lake Avenue North	5	22.7	56.0	passive area between road allowance and ravine	1.2	3.0
Potruff Road North	5	36.0	89.0	between Queenston and Melvin road allowance to ravine	4.0	10.0
Oak Knoll Park, 701 Mountain Brow Blvd.	6	8.0	19.8	passive area	2.4	6.0
Turner Park, 306 Rymal Road	7	20.0	49.4	passive area from diamonds to road allowance and area between diamonds	3.2	8.0
Escarpment Ward 8, 115 San Antonio Drive	8	48.5	120.0	along escarpment Upper Paradise Road to Upper Horning Road	3.0	7.0
Olympic Park, Mohawk Road and Scenic Drive	8	9.5	23.4	upper plateau off Mohawk Road	1.2	3.0
TOTAL					27.3	70.5

March 26, 1996

Appendix "D" as referred to
in Section 21 of the Fifth Report
of the Parks and Recreation
Committee for 1996

PLAN OF
PIPELINE PARK
CONCEPT



March 26, 1996

ICECO INC.

Appendix "E" as referred to
in Section 24 of the Fifth Report
of the Parks and Recreation
Committee for 1996 ADDED.

March 13, 1996

The Corp. of the City of Hamilton
71 Main Street West,
Hamilton, Ontario
L8N 3T4

Attn: Mr. Bill Moffatt

Dear Bill,

It was pleasure meeting with you this past Thursday, March 7th to discuss the interim management contract at the Chedoke Twin Pad Arenas, scheduled to begin on March 25th, 1996.

In our quotation, dated February 7th, 1996, we had quoted a price of \$36,000 per month, plus G.S.T., and payment terms to be invoiced weekly and paid net 7 days. This invoice amount will be \$8,307.69 + G.S.T. 7% of \$581.54 for a total of \$8,889.23 weekly. We would also like confirmed that we are guaranteed a (3) three month contract with the possibility of it continuing a few months longer. We must again insist that we are given a (1) one month written notice of termination, as before. Please provide as soon as possible a Purchase Order for confirmation of contract.

We will forward, within the next few days, a Certificate of Insurance for \$3,000,000 liability and a Clearance Certificate for Workers' Compensation.

Also, further to our conversation in our meeting, please accept the following list as what Iceco Inc. is willing to do for the City of Hamilton, while contracted at the Chedoke Twin Pad Arenas:

1. Supply four (4) full time trained/experienced Zamboni operators that will be responsible for the maintenance of the ice surfaces.
2. Supply sufficient staff to clean the complete building continuously during operational hours. This includes refilling dispensers, mopping, cleaning wall surfaces, when required, etc.
3. Complete all window/glass cleaning throughout the complex.

Box 5249, Townsend, Ontario N0A 1S0

Tel. : (519) 587-2967 • Fax : (519) 587-2965 • Toll Free : 1-800-567-4079

Attn: Mr. Bill Moffatt

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4. Remove/change all garbage regularly. Over-see garbage pick up by firm arranged by the city.
5. Maintain Zamboni as far as blade changing, cleaning machine and checking all fluid and air pressure levels daily.
6. Monitor the refrigeration system and record operation. Report any problems to the city.
7. Monitor and report any deficiencies (re: mechanical equipment) within the facility to the city.
8. Monitor and complete weekly inventory on all consumables, re-order from the city.
9. Operate the administration office in a professional manner, answering all requests, recording all activities/rentals, collecting all fees and complete deposits/reports for city, operate phones, monitor the building via video system, monitor the mechanical operation of complex via Honeywell computer system and working in liaison with the city staff when requested.
10. Work in liaison with the concession and sport shop staff at all times.
11. Wear safety wear when necessary.
12. Supply First Aid, CPR, and WHIMIS training to all staff.
13. Maintain security throughout the facility.
14. Pick up garbage in the parking areas and surrounding areas.
15. Enforce all regulations that the City of Hamilton has in place presently.
16. Removal of all snow in fire exits and on walkways.
17. Supply sufficient staffing in the facility during operation hours.
18. Set up any equipment or furniture required by city or clientele.

Attn: Mr. Bill Moffatt

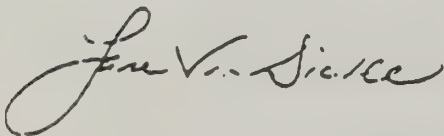
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What Iceco Inc. will not be responsible for:

1. Stripping and finishing floor areas throughout the facility.
2. Supply of extra staff beyond normal requirements for a special event. This would be an extra charge to the city.
3. Removal of snow from parking lot areas and drives.
4. Landscaping (grass cutting, maintaining flower beds) responsibilities.
5. Removal or installation of ice surfaces. This would be an extra cost to the city for labour or material to complete.

Again, we hope the above meets your approval. Please do not hesitate to call if further information is needed.

Yours very truly,



Brian Van Sickle

Jane Van Sickle

ICECO ARENA SERVICES & EQUIPMENT INC.



COMMERCIAL UNION ASSURANCE COMPANY OF CANADA

CERTIFICATE OF LIABILITY INSURANCE

To THE CORPORATION OF THE CITY OF HAMILTON

HAMILTON, ONTARIO

THIS IS TO CERTIFY that liability insurance policy No. CCN6332614, expiring July 20 1996

has been issued by the Company indicated above to BRIAN VAN SICKLE o/a ICECO ARENA SERVICES
(Name of Insured)
& EQUIPMENT INC. 75 Main Street South, Hagersville, Ontario N0A 1H0

COVERAGES	LIMITS OF LIABILITY	
Commercial General Liability Bodily Injury Liability and Property Damage Liability Indusive	Each Occurrence \$ 3,000,000.	Aggregate Limit each Policy Year \$ 3,000,000.
Non-Owned Automobile Liability	Section A - Third Party Liability \$ 3,000,000.	
Other		

OPERATIONS COVERED

ALL PREMISES AND OPERATIONS OF THE NAMED INSURED

IT IS HEREBY UNDERSTOOD AND AGREED THAT THE CORPORATION OF THE CITY OF HAMILTON, ONTARIO IS ADDED AS AN ADDITIONAL INSURED BUT ONLY WITH REGARDS TO LIABILITY ARISING OUT OF THE OPERATIONS OF THE NAMED INSURED.

The insurance afforded is subject to the terms, conditions and exclusions of the applicable policy. The Certificate is issued as a matter of information only and confers no rights on the holder and imposes no liability on the insurer. The insurer will endeavour to mail to the holder of this Certificate . . . 30 . . . days written notice of any material change in or cancellation of these policies, but assumes no responsibility for failure to do so.

March 14, 1996

Date

JENNINGS INSURANCE LIMITED

Pamela L. Lusk
Authorized Representative



Workers'
Compensation
Board

Commission
des accidents
du travail

120 KING STREET WEST
HAMILTON, ONTARIO
L8P 4V2 (905) 523-1800

Clearance Certificate Certificat de décharge

The Workers' Compensation Board (WCB) hereby waives its rights under Section 11 (3) (R.S.O. 1990) of the Workers' Compensation Act to hold the Principal that is in a contractual agreement with the Contractor named, liable for any Section 11 (3) (R.S.O. 1990) liability of the Contractor for assessments and levies of the WCB owing now or within 60 days from the date of this Certificate.

CONTRACTOR
L'ENTREPRENEUR

ICECO ARENA SERVICES &
EQUIPMENT INC
BOX 5249
TOWNSEND
NOA 150

ON

Par la présente, la Commission des accidents du travail (CAT) renonce aux droits qui lui sont conférés en vertu du paragraphe 11 (3) de la Loi sur les accidents du travail (L.R.O. 1990) et qui l'autorisent à tenir l'entrepreneur principal, qui a signé une entente contractuelle avec l'entrepreneur dont le nom figure sur le présent certificat, responsable du paiement de toute cotisation ou de toute somme que l'entrepreneur est tenu de verser à la CAT immédiatement ou dans les 60 jours suivant la date indiquée sur ce certificat.

THIS CERTIFICATE IS VALID FOR ALL CONTRACTS OF
THE NAMED CONTRACTOR DURING THE EFFECTIVE PERIOD

LE PRESENT CERTIFICAT EST VALIDE POUR TOUS LES CONTRATS PASSES PAR
LEDIT ENTREPRENEUR PENDANT LA PERIODE D'APPLICATION DU CERTIFICAT

Valid only when signed by an authorized Officer of the WCB.
Non valide sans la signature d'un agent autorisé de la CAT.

Account No./ N° de compte 7072716	Firm No./ N° d'entreprise 322561	ET
---	--	----

Rate/Taux	Description	Rate/Taux	Description
9953001	JANITORIAL, OPERATI		

Contract Description/ Description du contrat
--

Certificate No./ N° de certificat 200631353 F5195872965

Contact the WCB if you question the validity of this document.
Veuillez Communiquer avec la CAT si vous doutez de la validité du présent document.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application ZAC-95-33, Jorge Rodriguez, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, (Block "1") and for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "2"), to convert the existing single family dwelling to a medical office and a dwelling unit, for the property located at 832 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A" on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District - Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled;
 - (ii) That Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
 - (iii) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
 - (iv) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall be permitted:

- (a) a hearing aid dispensing office on the first floor of the existing building having a maximum gross floor area of 95 m² (1000 feet²);
 - (b) one dwelling unit in the basement of the existing building;
 - (c) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
- (2) That a minimum 3.0 m wide landscape planting strip, and a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line of Block "2";
 - (3) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly lot line of Blocks "1" and "2";
 - (4) That a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the easterly lot line of Block "1" except for any area used for vehicular access;
 - (5) That notwithstanding Section 18A(1), of By-law No. 6593 not less than five (5) parking spaces shall be provided and maintained on the subject lands;
 - (6) Section 18A(14) of Zoning By-law No. 6593 shall not apply; and,
 - (7) Section 18A(26) of Zoning By-law No. 6593 shall not apply.
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1355, and that the subject lands on Zoning District Map E-18 be notated S-1355;
 - (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to Council; and,
 - (vii) That the proposed changes and modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

- (b) That Site Plan Control By-law No. 79-275, as amended, by By-law 87-233, be amended by adding the subject lands to Schedule "A".
- 2.
- (a) That approval be given to Zoning Application 96-02, E.L. RICHTER, owner, for a modification to the established "JJ" (Restricted Light Industrial) District regulations, to permit use of the existing building and proposed addition for a warehouse, showroom and office space for a central mail order business and retail outlet for industrial and agricultural parts, equipment, accessories and related products, for lands located at No. 244 Lake Avenue North, as shown on the attached map marked as APPENDIX "B", on the following basis:
 - (i) That the "JJ" (Restricted Light Industrial) District regulations as contained in Section 16A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 16A(1), a central mail order business with showroom and office and a retail outlet for industrial and agricultural parts, equipment, accessories and related products, shall be permitted;
 - (2) That Section 16A(3)(c) shall not apply; and,
 - (3) That a minimum 1.5 m high chain link fence shall be provided and maintained along the northerly 38.5 m of the easterly rear lot line;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1354, and that the subject lands on Zoning District Map E-113 be notated S-1354;
 - (iii) That the Director of Planning and Development be directed to prepare a by-law, in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map E-113 for presentation to City Council; and,
 - (iv) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) That the amending By-law not be forwarded for passage by Council until such time as the applicant has fulfilled the following conditions:

- (i) That the applicant shall remove all pavement from the approximately 12 m (40 ft.) of City owned lands, immediately east of the subject lands, and that no fill material, or other debris, be deposited over the top of the ravine, to the satisfaction of the Director of Property; and,
- (ii) That prior to removal of the pavement, the applicant submit a plan to provide for revegetation of the disturbed areas with natural plant material, satisfactory to the Director of Planning and Development, and that the revegetation plan be implemented, immediately following removal of the pavement, to the satisfaction of the Director of Property and the Director of Planning and Development.

OR

- (iii) That the applicant enter into an agreement with the City of Hamilton, including securities if deemed necessary, to the satisfaction of the Director of Property, City Solicitor, and the Director of Planning and Development, to provide for removal of all pavement from the approximately 12 m (40 ft.) of City owned lands to the east of the subject lands; and that no fill material, or other debris, be deposited over the top of the ravine; and to provide for revegetation of the disturbed areas with natural plant material immediately following removal of the pavement.
3. (a) That approval be given to amended Subdivision Application 94-03 (Regional File No. 25T-94005(R)), by Urbex Engineering Ltd., on behalf of Shermal Developments Inc., owner, for approval of a draft plan of subdivision - "Shermal Estates", on lands located south of Rymal Road East and west of the proposed extension of Upper Sherman Avenue, in the Chappel East Neighbourhood, as shown on the attached map marked as APPENDIX "C", subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by J.P. Woolley, O.L.S., dated August 10, 1995, showing 159 lots for single family dwellings, a townhouse block, a block for future commercial uses and 3 blocks to be developed with lands to the east for single family dwellings, 9 blocks for 0.30 m reserves and 5 local streets and the extension of Upper Sherman Avenue, as shown on APPENDIX "D".
 - (ii) That no portion of the subject lands be developed until such time that storm and sanitary sewer outlets are available to service these lands directly.

- (iii) That the owner satisfy all engineering and financial requirements of the City of Hamilton prior to the development of any portion of the subject lands.
- (iv) That the streets be established to their full width by certificate on the final plan and that Blocks 166, 167, 168, 169, 170, 171, 172, 173 and 174, being 0.30 metre reserves, be transferred to the City of Hamilton.
- (v) That 2m X 2m day-lite triangles be established on all L-shaped streets on the Final Plan.
- (vi) That the centreline of the extension of the road allowance for Upper Sherman Avenue south of Rymal Road East align with the centreline of the original road allowance of Upper Sherman Avenue north of Rymal Road East.
- (vii) That the first phase of development must include the construction of Upper Sherman Avenue from Rymal Road East southerly to the satisfaction of the Commissioner of Transportation/Environmental Services.
- (viii) That the alignment of the extension of Upper Sherman Avenue meet all standards and requirements of the Regional Roads Department, Ontario Hydro, TransCanada Pipeline and the Township of Glanbrook.
- (ix) That the owner provide the City of Hamilton with written confirmation from Ontario Hydro and TransCanada Pipelines that the extension of Upper Sherman Avenue, southerly through the Hydro Corridor will not require the relocation of the Hydro Towers or any related gas pipeline facility.
- (x) That the Owner provide written confirmation from Ontario Hydro that the proposed extension of Upper Sherman Avenue conforms to all of Ontario Hydro's requirements with respect to road set backs from the existing Hydro Towers, etc., and that the alignment of the Upper Sherman Avenue extension through the Hydro Corridor into the Township of Glanbrook is to the satisfaction of Ontario Hydro.
- (xi) That the owner provide a temporary turning circle at the southern limit of Upper Sherman Avenue within the limits of this plan of subdivision, or secure the necessary lands to the south so as to provide a temporary turning circle outside the plan of subdivision to the satisfaction of the Commissioner of Transportation/Environmental Services.

- (xii) That the owner, in the case where the temporary turning circle at the southern limit of Upper Sherman Avenue cannot be accommodated within the road allowance, and lots are affected by the creation of the temporary turning circle, agree to declare the affected lots unsuitable for building until such time as required by the Commissioner of Transportation/Environmental Services or the temporary turning circle is no longer required and Upper Sherman Avenue is extended southerly.
- (xiii) That the Owner dedicate Block 165 for the widening of Rymal Road East to the Region of Hamilton-Wentworth prior to registration of the Final Plan.
- (xiv) That the owner dedicate to the Region of Hamilton-Wentworth a 0.30 metre reserve, shown as Block 166 along Rymal Road East. This reserve can be lifted after the owner has applied for and received site plan approval for the development of Block 161 for commercial uses.
- (xv) That the owner dedicate to the Region of Hamilton-Wentworth a 0.30 metre reserve, shown as Block 167 along Upper Sherman Avenue and Street "A". This reserve can be lifted after the owner has applied for and received site plan approval for the development of Block 160 for residential uses.
- (xvi) That Street "A" be established and constructed to its full width prior to the development of Lots 63 to 70 inclusive.
- (xvii) That Street "A" be established to its full width from Upper Sherman Avenue to the west limits of Street "B" prior to the development of all lots fronting on Street "B", Street "D", Court "G" and the east-west portion of Street "C" between Street "B" and the south-easterly limits of Street "E".
- (xviii) That the frontages outside the "day-lite triangles" for Lots 9 and 92 adjacent to the extension of Upper Sherman Avenue be a minimum of 3.5 metres in width and that the accesses to these lots must be located outside the daylight triangles at this intersection.
- (xix) That, on a temporary basis, the maximum number of residential units proposed on this and/or any abutting development plan, to be serviced by a single road access (eg dead end street), will not exceed 100 units.

- (xx) That Lots 32, 33, 34 and 35 not be registered until such time the Commissioner of Transportation/Environmental Services has advised the Director of Planning as to the need to extend Street "E" to provide access to the adjacent lands to the west owned by Ontario Hydro.
- (xxi) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures, including remedial measures taken, after each rainfall to the satisfaction of the Senior Director, Roads Department;
 - (3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - (4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction.
- (xxii) That the final plan conform with the applicable provisions of the "RT-20" (Townhouse - Maisonette) District (Block 160), "C" (Urban Protected Residential, etc.) District (Lots 1-9, 15-20, 30-56, 80-92, 99-107, and 123-137 inclusive), and "R-4" (Small Lot Single - Family Dwelling) District (Lots 10-14, 21-29, 57-79, 93-98, 108-122 and 138-159 inclusive) in the City of Hamilton Zoning By-law No. 6593.
- (xxiii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the Subdivision in the Final Plan.
- (xxiv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act.

- (xxv) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton.
- (xxvi) That the streets be named to the satisfaction of the City of Hamilton.
- (xxvii) That the streets be dedicated to the City of Hamilton as public highways in the final plan.
- (xxviii) That the owner prepare and submit, to the satisfaction of the Director of Planning, a municipal street numbering plan.
- (xxix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (xxx) That Blocks 162, 163 and 164, on the red-line revised plan, must be developed in conjunction with adjacent lands.
- (xxxi) That the Owner be required to retain the services of a Professional Engineer to conduct an Environmental Assessment Study for the implementation of the extension of Upper Sherman Avenue, south of Rymal Road East in order to provide access to the lands of Sermal Estates, and that said study address the following:
 - (1) The interim and ultimate width of the travelled portion of Upper Sherman Avenue and the extent of lands required for road right-of-way purposes;
 - (2) The interim and ultimate width of the travelled portion of the intersection of Rymal Road East and the extension of Upper Sherman Avenue and the extent of lands required for road right-of-way purposes;
 - (3) The interim and ultimate size of day-lighting triangles for road right-of-way purposes at the intersection of Rymal Road East and the southerly extension of Upper Sherman Avenue; and,
 - (4) Any other requirements deemed necessary by the Commissioner of Transportation/Environmental Services.
- (xxxii) That the owner implement the recommendations of the Environmental Assessment Study to the satisfaction of the Commissioner of Transportation/Environmental Services.

- (xxxiii) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to development of any portion of these lands.
 - (xxxiv) That the owner agree in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
4. (a) That staff be directed to undertake a review and study respecting land use policies in the City relating to third party signs and billboards in the following zoning districts:
- . "G" (Neighbourhood Shopping Centre, etc.) District;
 - . "G-1" (Designed Shopping Centre) District;
 - . "G-2" (Regional Shopping Centres) District;
 - . "H" (Community Shopping and Commercial, etc.) District;
 - . "HH" (Restricted Community Shopping and Commercial) District;
 - . "I" (Central Business District, etc.) District;
 - . "HI" (Civic Centre Protected Districts) District;
 - . "J" (Light and Limited Heavy Industry, etc.) District;
 - . "JJ" (Restricted Light Industrial) District;
 - . "K" (Heavy Industry, etc.) District;
 - . "KK" (Restricted Heavy Industrial) District, and;
- (b) That the City Solicitor prepare, for Council's approval, an interim control by-law restricting billboard and third party signs in the Districts subject to the study.
5. (a) That approval be given to Site Plan Control Application DA-95-33 by Elite Realty Corporation, prospective owner of lands at 775 and 779 Upper Wentworth Street, as shown on the attached map marked as Appendix "E", for a commercial development subject to the following:
- (i) modification to the plans related to dimensions, notes, and driveway access ramps, as marked in red on the plans;

(ii) modification to the Landscape Plan to include proposed buffer plantings along the easterly property line, and landscape plantings on the adjacent lands to the east with the consent of the property owner;

(iii) submission of a revised grading plan to the satisfaction of the Manager of Development, Roads Department;

and further;

DELETED.

- (b) That in regard to Zoning Application ZAC-95-18, the following resolution be forwarded to City Council for approval;

That Item 3 of the Twelfth Report of the Planning and Development Committee to City Council on 1995 October 10, respecting Zoning Application ZAC-95-18 by Elite Realty Corporation, prospective owner, for lands at 775 and 779 Upper Wentworth Street, be amended by adding the following:

3.(b)(ii) 2.

- (a) Notwithstanding the provisions of Section 18A (1)(d) and Table 4, one (1) loading space having minimum dimensions of 9.0m x 3.7m shall be provided and maintained on the lot.
- (b) Notwithstanding the provisions of Section 18A (11)(a) of Zoning By-law 6593, a planting strip shall not be required along the northerly boundary.
- (c) Notwithstanding the provisions of Section 18A (12)(c) of Zoning By-law 6593, a chain link fence not less than 1.2m in height and not greater than 2.0m in height, shall be provided and maintained along the northerly boundary and within the easterly boundary planting strip.
- (d) Notwithstanding the provisions of Section 18A (26) of Zoning By-law 6593, the access driveway must be at least 1.5m from the east property line.

6. (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 216 Burlington Street East demolished to bring the subject property into compliance with City of Hamilton Property Standards By-Law 94-185 and as authorized under The Planning Act, 1990 Subsection 20, Section 31 and specifically to do the work required to comply with the Final and Binding Order; and,

- (b) That the Building Commissioner be authorized to issue a demolition permit for 216 Burlington Street East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended; and,
 - (c) That the appropriate by-law be enacted by Council.
7. That a Heritage Permit be approved for the following alterations to the Custom House/Ontario Workers' Arts and Heritage Centre, a designated building located at 51 Stuart Street, Hamilton:

Exterior Alterations:

- (a) Blocking up the four east basement windows on the north facade to be covered with a stucco finish, providing the original windows are kept in place and protected against deterioration; and,
- (b) Installing a barrier-free ramp on the east facade, as specified in the revised sketch dated 1996 March 7 as prepared by McCallum Mokrycke Sather Architects; and,
- (c) Stones for gates, parapet, chimneys, etc., which are to be stockpiled, to be stored on site; and,

Interior Alterations:

- (a) Installing clear span beams in the exhibition area (24'0"), including the removal of the existing piers (not original); cutting new beam pockets into the existing walls; recessing structural supports within the wall and restoring the lath and plaster finish to match the original interior wall; and,
 - (b) Installing new vestibule double doors at the east end of the ground floor corridor, to be of clear glass and frameless, if possible; and,
 - (c) Removing and reassembling window surrounds and replacing the stained glass (not original) with reconstructed arched windows.
8. (a) That Item 4 of the Planning and Development Committee Report 14-89, approved by Council on 1989 May 30, regarding the approval of the sum of \$7,000.00 representing the cash payment in lieu of 5% parkland dedication for "Ridgeview Estates - Phase 3" be deleted.

- (b) That the City of Hamilton accept the sum of \$16,100.00 as a cash payment in lieu of the 5% land dedication in connection with "Ridgeview Estates - Phase 3, Hamilton, being the cash payment required under Section 51 of the Planning Act.
- 9. (a) (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000.) to Marco and Fernando Tollis, c.o.b. as Riviera Banquet Centre Inc., for improvements to 422 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500.) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program, and;
- (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000.) to Marco and Fernando Tollis, c.o.b. as Riviera Banquet Centre for exterior storefront improvements to 422 Barton Street East be approved, subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand and five hundred dollars (\$2,500.) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Copps. -1.

CARRIED.

- 10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, eight hundred and seventy three dollars (\$1,873.) be approved for Olga Bashnuk, 45 Dalhousie Avenue. The interest rate will be 8 per cent amortized over 5 years.

11. That the Building Commissioner be authorized to issue a demolition permit for 576 Burlington Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
12. That the Building Commissioner be authorized to issue a demolition permit for 499 Scenic Drive in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
13. (a) That approval be granted to application CDM-CONV-95-001 submitted by Roy Megna (In Trust), owner, for a draft plan of condominium located at 174 Herkimer Street to provide for a condominium comprised of a 5 storey apartment building containing 19 individual apartment condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated March 25, 1995 prepared by Consoli & Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (iii) That prior to approval of the final plan,
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593 namely the number and actual dimensions of parking spaces, manoeuvring spaces, access driveway and the angle of the parking spaces.
 - (iv) That the owner shall have satisfied one of the following requirements in regard to the parking space(s) located within the road allowance of Herkimer Street:
 - (1) that the owner enter into Boulevard Parking Agreement with the City of Hamilton to the satisfaction of the Director of Public Works and Traffic, or

- (2) that the owner remove the existing paving and restore the road allowance to a landscaped condition.
 - (v) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-001);
 - (vi) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vii) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
 - (b) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
14. (a) That the City attempt to obtain the consent of the Hamilton Harbour Commissioners for an adjournment of the Ontario Municipal Board Hearing scheduled to commence on 1996, June 17;
- (b) That in the event that the Hamilton Harbour Commissioners will not consent to an adjournment, the City request the Ontario Municipal Board by motion to adjourn the June hearing at the next prehearing conference on 1996, April 9; and
- (c) That in the event the Ontario Municipal Board does not grant an adjournment of the hearing, the City appeal that decision of the Board.
15. That Item 2 of the SIXTH report of the Planning and Development Committee to Council for 1995 regarding authorization for staff attendance at an OMB Hearing regarding a Committee of Adjustment decision for property located at 121 Ivon Avenue be rescinded in part respecting 121 Ivon Avenue only.
16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-14 A By-law to authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 216 Burlington Street East.

- (b) C-15 A By-law to amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal No. 141 Queenston Road.
- (c) C-16 A By-law to establish Site Plan Control Respecting Land Located at the Rear of Municipal No. 141 Queenston Road.
- (d) C-17 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located Within the city of Hamilton Formerly Under development Control Regulations of the Niagara Escarpment Commission.
- (e) C-18 A By-law Respecting the Regulation of Billboards/Third Party Signs.
REFERRED BACK.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Eisenberger. -1.

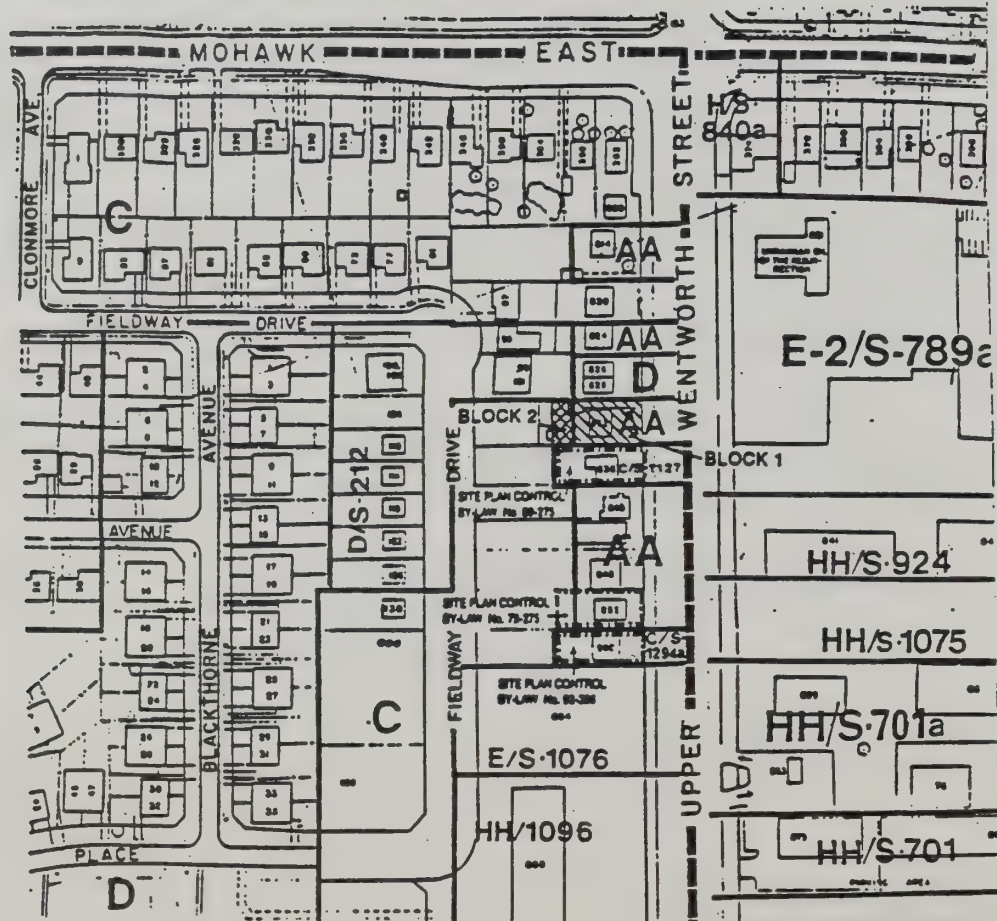
CARRIED.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 March 20**

Appendix "A" referred to in Section 1. (a) of the FIFTH Report of the Planning and Development Committee for 1996.



Legend

Proposed changes in zoning:



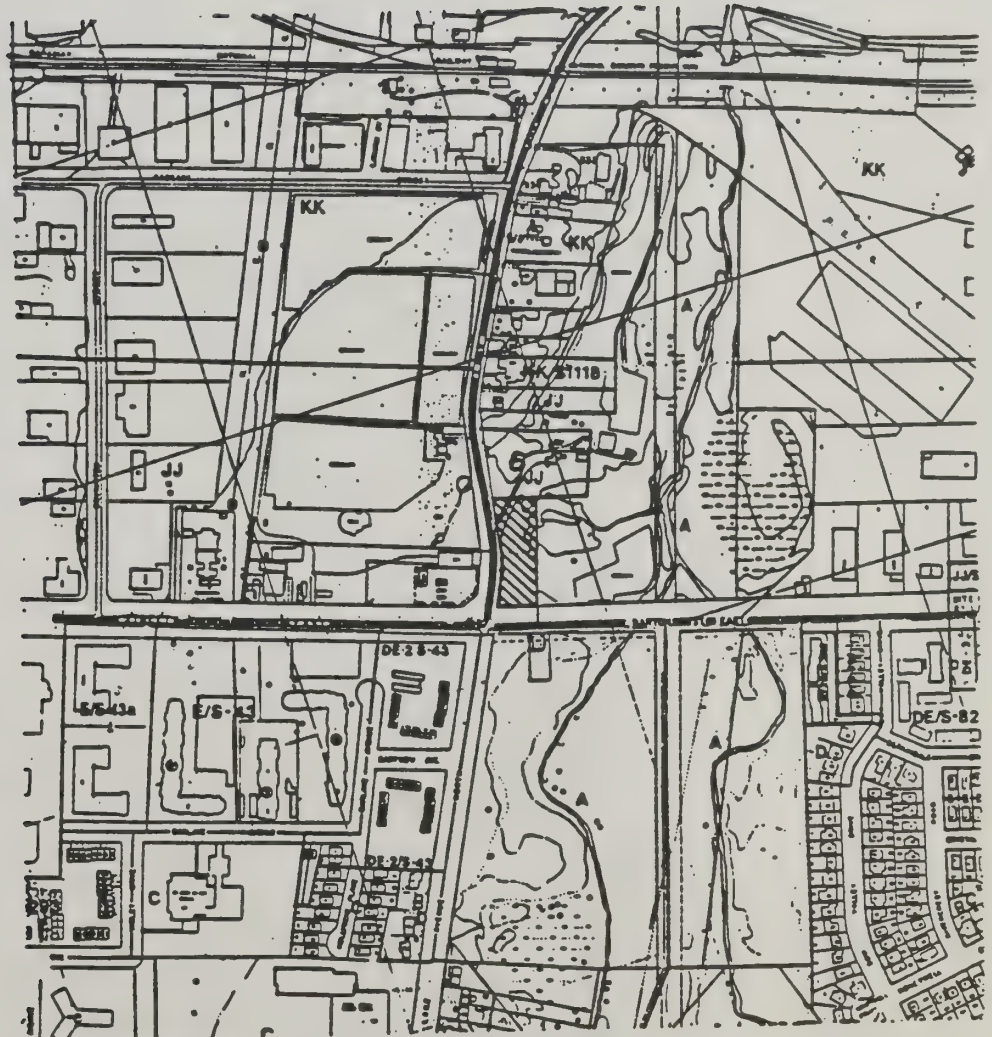
From "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, Modified.

From "C" (Urban Protected Residential, etc.) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, Modified.

ZAC-95-33

APPENDIX "A"

Appendix "B" referred to in
Section 2. (a) of the FIFTH Report
of the Planning and Development
Committee for 1996.



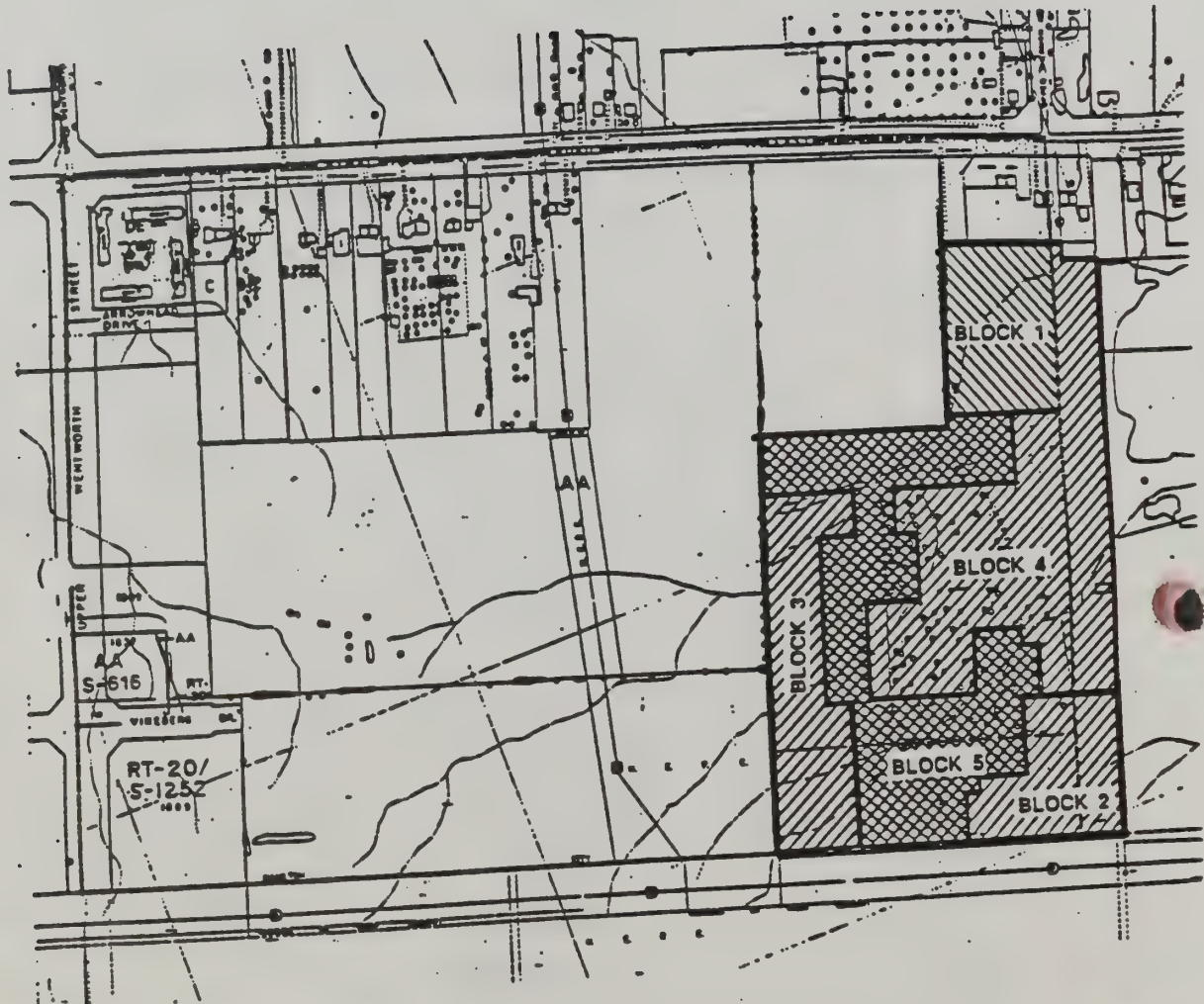
Legend



Site of the Application



Appendix "C" referred to in
Section 3. (a) of the FIFTH Report
of the Planning and Development
Committee for 1996.



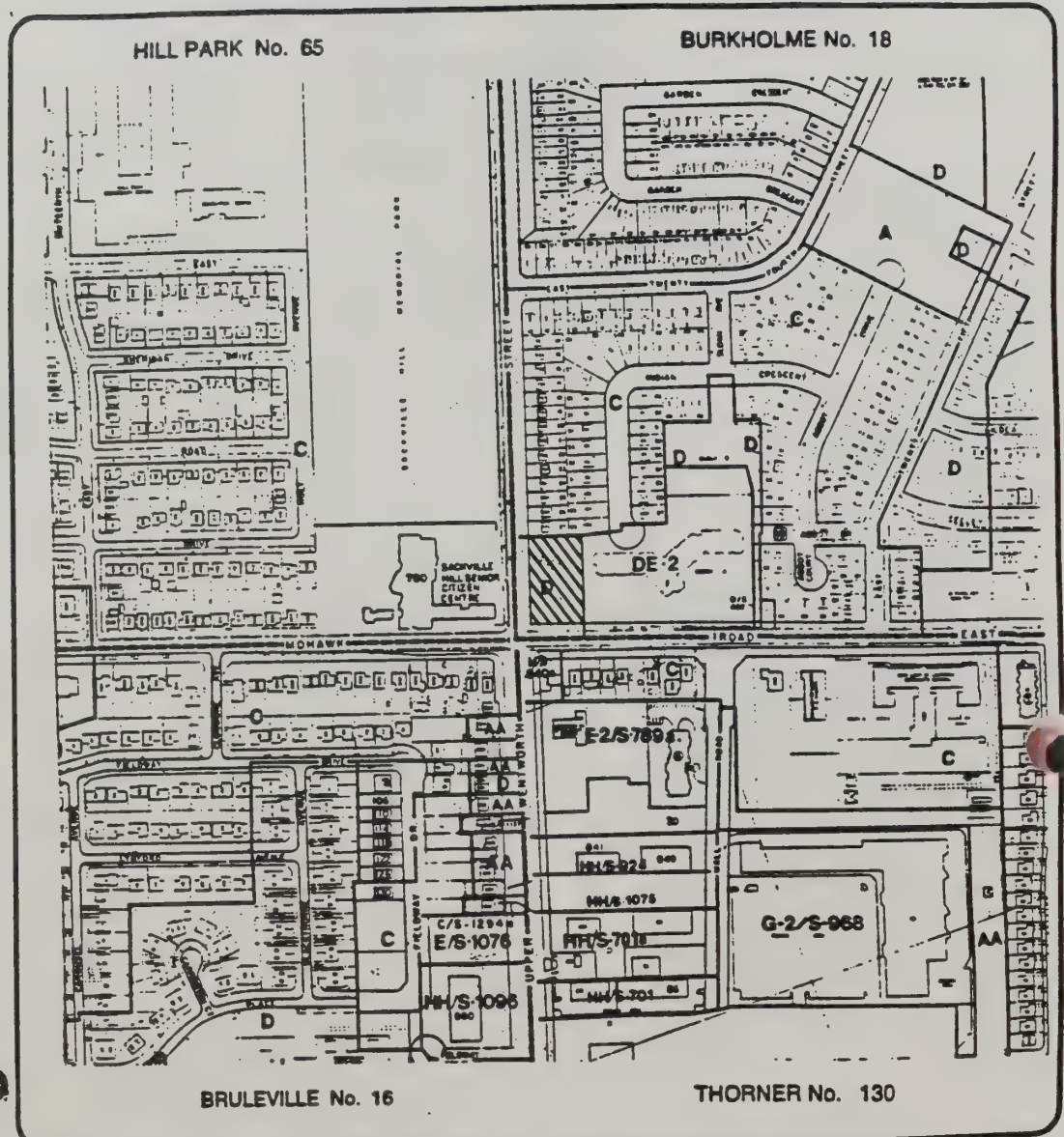
Legend

Proposed change in zoning from "AA" (Agricultural) District to :

- | | | |
|------------------|---|---|
| BLOCK 1 |  | "RT-20" (Townhouse - Maisonette) District. |
| BLOCKS 2,3 and 4 |  | "C" (Urban Protected Residential, etc.) District |
| BLOCK 5 |  | "R-4" (Small Lot Single-Family Dwellings) District. |



Appendix "E" referred to in
Section 5. (a) of the FIFTH Report
of the Planning and Development
Committee for 1996.



City of Hamilton

Plan Showing Lands Subject to
Site Plan Control
Application DA-95-33

Planning and Development Department

Legend



Site of the Application

North



Scale

Not to Scale

Date

DECEMBER 1995

Reference File No.

DA-95-33

Drawn By

R.L.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. That the Regional Municipality of Hamilton-Wentworth assume responsibility for the regulation of Second Level Lodging Houses.
2. (a) That the City decline the Plaintiff's, Eileen Laslo, Offer to Settle in Ontario Court (General Division) Action No.29000/91 made in the following terms:
 - (i) Plaintiff to receive \$18,000 in damages plus pre-judgment interest; and,
 - (ii) Plaintiff to receive lost income in the amount of \$2,856 plus pre-judgement interest; and,
 - (iii) Plaintiff to receive cost of dental work in the amount of \$1,280.22; and,
 - (iv) Plaintiff to receive 60% of OHIP's subrogated claim; and,
 - (v) Plaintiff to receive party/party costs; and,
- (b) That the City make an Offer to Settle in Ontario Court (General Division) Action No. 29000/91 in the following terms:

That the City will settle all outstanding issues in this Action on the following basis:

- (i) That if this Offer to Settle is accepted on or before 4:59 p.m. 1996 April 30, the City will pay to the Plaintiff \$4,000 inclusive of all claims for damages, interest and costs; and,
- (ii) That if this Offer to Settle is accepted after 4:59 p.m. 1996 April 30, the City will pay to the Plaintiff \$2,500 inclusive of all claims for damages, interest and costs; and,

- (iii) That the Plaintiff will execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (iv) That this Action shall be dismissed without costs; and,
 - (v) That this Offer remains open for acceptance until withdrawn or until the commencement of trial whichever first occurs.
- 3.
 - (a) That the City resolve Ontario Court (General Division) Action No. 6272/94 by the payment to the Plaintiffs, Olive and George Preston of the amount of \$4,658.10 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 6272/94 be dismissed without costs.
- 4.
 - (a) That the City agree to proceed with the Appeal of the Retail Sales Tax Act assessment on rock salt instituted as Ontario Court (General Division) Action No. 94CQ-57461; and,
 - (b) That the Treasurer and City Solicitor be authorized to negotiate an Agreement for the sharing of legal fees between municipalities which participate in the Appeal; and,
 - (c) That if the appeal is successful the City's share of legal fees be deducted from its recovery of Retail Sales Tax; and,
 - (d) That if the Appeal is unsuccessful the City's share of legal fees be charged to Account No. CH 55199-24201.
- 5. That approval be given to the request of The Elizabeth Fry Society, Hamilton Branch, to use the City Hall Forecourt and related equipment on Sunday, 1996 May 5 from 11:30 a.m. to 3:30 p.m. for a Walk-a-thon.

6. That purchase orders be issued for the supply and delivery of Annual Supplies for various City Departments as and when required during 1996, in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

(a) Aggregates

<u>Supplier</u>	<u>Material</u>	<u>Unit Pricing</u>	<u>Unit Pricing</u>
		Tractor Trailer	Tri-Axle Tandem
(i) Lakeview Sand & Gravel	Granular 'A'	\$ 7.20	\$ 7.20
(ii) Redland Quarries	Granular 'A'	7.35	7.85
(iii) Taro Aggregates Ltd.	19mm Clear	8.50	9.00
(iv) Redland Quarries	9.5mm Chips Washed	11.25	11.75
(v) Taro Aggregates Ltd.	53mm Clear	8.50	9.00
(vi) Redland Quarries	#8 Dust Suppressed Grits	28.60	29.10
(vii) Redland Quarries	Athlete Field Lime	16.00	16.50
(viii) Redland Quarries	19mm Crusher Run	7.35	7.85
(ix) Lakeview Sand & Gravel	19mm Crusher Run	7.40	7.40
(x) Redland Quarries	53mm Crusher Run	7.35	7.85
(xi) Redland Quarries	Rubble Stone	15.50	16.00
(xii) Redland Quarries	75-200mm Gabion Stone	15.10	15.60
(xiii) Redland Quarries	9.5mm Screenings	8.00	8.50
(xiv) Taro Aggregates Ltd.	9.5mm Screenings	8.00	8.50

* All prices are on a per tonne basis. GST and PST extra where applicable.

(b) Mixed Portland Cement Concrete

<u>Sidewalk, Curb & Roadway Concrete</u>	<u>Delivered</u>	<u>Picked Up</u>
Dufferin Concrete Products, Hamilton	\$ 94.55	\$ 82.55
Lafarge Construction Material, Hagersville	96.75	96.75
Independent Ready Mix Concrete, Hannon	100.00	98.00

Unshrinkable Fill

Dufferin Concrete Products, Hamilton	\$47.00	\$ 40.10
Independent Ready Mix Concrete, Hannon	49.00	45.50
Lafarge Construction Material, Hagersville	58.00	58.00

* All prices are on a cubic metre basis.

(c) Asphaltic Concrete and Bituminous Materials

Asphalt Surface Course (H.M.3)

Capital Paving, Guelph	picked up	\$ 38.80
Lafarge Construction Materials, Hamilton	picked up	42.50
Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	43.00

Asphalt Binder Course (H.M.5)

Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	\$ 42.00
Lafarge Construction Materials, Hamilton	picked up	42.00
Capital Paving, Guelph	picked up	43.00

HLS030 Hot Lay, HL-3(HS) Asphalt

Cayuga Materials & Construction Co. Ltd, Cayuga	picked up	\$ 43.00
Capital Paving, Guelph	picked up	43.00
Lafarge Construction Materials, Hamilton	picked up	44.00

Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold		0.2588
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Additional Cost to Supply a Tank for Duration of Contract

Norjohn Ltd., Thorold		No Charge
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Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold	CRS-2	delivered	0.2588
Norjohn Ltd., Thorold	CRS-2 Latex Modified	delivered	0.3195

Hot Liquid Asphalt

Lafarge Construction Materials, Hamilton	picked up	\$ 5.00L
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Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials, Brantford	picked up	\$ 75.00
Lafarge Construction Materials, Hamilton	picked up	80.00
TCG Materials, Brantford QPR2000 Fine	picked up	85.00

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials, Brantford	delivered	\$ 75.00
Lafarge Construction Materials, Hamilton	delivered	85.00
TCG Materials, Brantford QPR2000 Fine	delivered	85.00

Crack Sealing Material

McAsphalt Industries Ltd, Scarborough	delivered	.2485/lb.
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* All prices are on a per tonne basis unless otherwise noted.

(d) Chemicals

Pollard Highway Products

Flake Calcium Chloride	delivered	\$0.3490
Liquid Calcium Chloride	delivered	\$0.1050

- * All prices are per KG.
- * GST and PST extra where applicable in all sections.

7. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

293 Wellington North	350 Ferguson North
216 West 33rd	

- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and Extension Agreements.
8. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 March 7, attached herewith and marked Appendix "A", be approved.
9. (a) That the administration of the Elderly Citizens Tax Credit Program be transferred from the City Clerk's Department to the Treasury Department effective 1996 April 1; and,
- (b) That in conjunction with this transfer, the following changes in the administration of the Elderly Citizens Tax Credit Program be approved:
 - (i) That in an effort to streamline the process and reduce costs, the City discontinue the annual practise of mailing affidavits to all eligible elderly citizens and implement the following process:

- (1) That all elderly citizens who received the tax credit in the prior year be automatically granted a tax credit in the current year provided there has been no changes in status on the assessment rolls which affect their eligibility; and,
 - (2) That affidavits be mailed once only to those elderly citizens:
 - (a) Who appeared to be eligible in the prior year but did not return an affidavit for processing; and,
 - (b) Whose eligibility status has changed on the assessment rolls from the previous year and still appear to be eligible; and,
 - (c) Who appear to have met the eligibility criteria for the first time; and,
 - (3) That the City place an advertisement in the Hamilton Spectator on Saturday, 1996 March 30 as well as an insertion with the 1996 May Realty Tax bill/notification, advising elderly citizens of the changes in the administration of the Elderly Citizens Tax Credit Program.
10.
 - (a) That the request for Property Tax relief from the Royal Canadian Legion Branch 58 for 1994 and 1993 in accordance with the Policy on Tax exemption for Veteran's Associations adopted by City Council on 1981 September 29, be approved in the amount of \$21,685.32; and,
 - (b) That this exemption be charged to Account CH 53319 24102 Property Tax Relief; and,
 - (c) That this exemption reflects the first and second years of ten years that the policy allows for this exemption and will require applications for future years on a yearly and per need basis.
11. That the "Hours of Work Policy" attached herewith and marked Appendix "B", be approved so that the City of Hamilton staff have the increased flexibility to schedule their hours of operation to be more responsive to the needs of the Community.

12. (a) That the Chairman of the Finance and Administration Committee and the Chairman of the Planning and Development Committee meet with Duncan Beattie, Chairman of the Harbour Commissioners and Pat Dillon, Federal Representative on the Harbour Commission, as an exploratory session on the position adopted by City Council at its meeting held 1996 February 13, and the position of the Harbour Commissioners on the future of Hamilton Harbour, in preparation for the discussion with the local Members of Parliament; and,
- (b) That in light of the delay in the Federal timetable for the National Marine Policy legislation, that the City pursue the appropriate avenues to obtain a continuation of the OMB Adjournment, scheduled to reconvene on 1996 April 9, in order to avoid potentially unnecessary legal costs.
13. That the City Solicitor be directed to take all necessary steps, to recover from The Hamilton & District Labour Council, all costs of site preparation, clean up and site restoration arising out of the Labour Council's use of Dundurn Park and Bayfront Park on 1996 February 23rd and 24th. **AMENDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Alderman Kiss. -1.

CARRIED.

14. (a) That the Secretary-General, Canadian Radio-Television Commission (CRTC), Ottawa, K1A 0N2, be advised that the Council of the Corporation of the City of Hamilton supports the application of the Crossroads Television System, P.O. Box 5100, 1295 North Service Road, Burlington, L7R 4M2, for a new 24-hour television station in Burlington based upon the provision of a non-violence and value-based television service; and,
- (b) That the C.R.T.C. be urged to approve Licence Application #95-1573500.

15. (a) That the Business Plan for Grey Cup '96 dated 1996 February 2 be received and approved; and,
- (b) That the Treasurer be authorized to advance the balance of the \$1,210,000 of the total approved allocation of \$1,520,000 in accordance with a payment schedule satisfactory to the City Treasurer, City Clerk and the Finance and Administration Committee; and,
- (c) That for the information of the members of City Council, copies of the Confidential Business Plan dated 1996 February 2 were distributed to members of the Finance and Administration Committee, and are available from the Committee Secretary.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Aldermen Copps, Merling. -2.

CARRIED.

16. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-14 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-15 A By-law to Amend Body Rub Parlour By-law No. 76-32 respecting Licence Fees.
- (c) D-16 A By-law to Amend Licensing By-law No. 93-069 respecting Public Halls.
- (d) D-17 A By-law to Amend Schedule 4 of Licensing By-law 93-069 respecting Interior Advertising in Taxi-Cabs.
- (e) D-18 A By-law to Amend Adult Video Store By-law No. 95-173 respecting Licence Fees.
- (f) D-19 A By-law to Amend Adult Entertainment Parlour By-law No. 79-144 respecting Licence Fees.

- (g) D-20 A By-law to Authorize 1996 Debenture Project and Amount.
- (h) D-21 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
- (i) D-22 A By-law to amend By-law No. 85-148 respecting Dog Licence Fees.
ADDED.

17. That approval be given to the request of Napier-Andrews Communications to use the Council Chambers to tape a segment of a non-political, industrial video for the Canadian Comprehensive Auditing Corporation from 8:00 a.m. to 9:30 a.m. on Friday, 1996 March 29.
ADDED.

18. (a) That the City resolve Ontario Court (General Division) Action #7309/94 by the payment to the Plaintiff, Joan Pfister, of the sum of \$2,000 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action #7309/94 be dismissed without costs.
ADDED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 March 19**

Appendix "A" referred
to in Section 8 of the
SIXTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Bowley	I	Foreman III (F2)	Public Works	Replacing Mr. R. Duckworth - promoted June 30/95	\$39,884.00 to \$45,843.20	Feb. 26/96
Mr. Paul Buckle	I	Traffic Legislative Specialist (14)	Traffic	New Position Council Approved December 12, 1995	\$32,575.92 to \$37,020.36	Feb. 19/96
Mr. J.P. Doyle	I	Captain (C8)	Fire	Replacing Mr. R. Divinski - retired, Oct. 31/94	\$61,750.44	Feb. 11/96
Mr. P. Galinis	I	Captain (C8)	Fire	Replacing Mr. P. Marchese - promoted, May 8/94	\$61,750.44	Feb. 11/96
Mr. P. Gallacher	I	Captain (C8)	Fire	Replacing Mr. D. Factor - promoted, May 8/94	\$61,750.44	Feb. 11/96

Prepared March 7, 1996

Status

Internal - I

External - B

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Morden	Sanitation Worker	Public Works	Deceased	18 years, 10 months	Feb. 14/96

Prepared March 7, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

CITY OF HAMILTON

HOURS OF WORK POLICY

POLICY: Hours of work shall be designed to ensure the efficient administration and delivery of service to the general public.

The Corporation of the City of Hamilton supports a working environment that assists employees in balancing work and personal responsibilities. This commitment shall be reflected through the implementation of flexible working arrangement procedures and programs.

SUBJECT: HOURS OF WORK

Office Hours

The normal hours of work are 9:00 a.m. to 5:00 p.m. Monday through Friday, and include one - one hour meal break (unpaid), and two - 15 minute rest breaks (paid).

Shift Hours

Employees employed in a Department or Section which provides service beyond normal office hours shall, when required to do so, work on various shifts throughout the twenty-four (24) hours of the day and seven (7) days per week.

Flex Hours

Departments which operate on normal office hours may implement flex time on the approval of the Department Head and subject to staffing requirements of the Department. The "core hours" of the flex time schedule shall be between the hours of 10:00 a.m. and 3:00 p.m.

Other Departments may also implement flex time on approval of the Department Head who may define "core hours".

Compressed Work Week

Departments who wish to operate on a compressed work week must obtain

- (a) if applicable, the agreement of the Local Union, and/or,
- (b) the agreement of each of the employees involved, and,
- (c) the approval of the Director of the Employment Standards Branch of the Ministry of Labour.

A compressed work week is a week in which the normal work day is extended beyond the norm to allow for the same number of hours to be worked in a week in a lesser number of days.

The above requirements also apply to departments applying the same principle over more than a one week period.

Daylight Saving

On the date fixed by the Daylight Saving Time Act, regular hours of work shall be extended to include the additional hour and additional payment shall be due at the overtime rate. Likewise on the resumption of Standard Time, the resultant reduction shall be effected with appropriate reduction in regular earnings.

Exceptions

Specific Departments or Sections may utilize different hours of work and shift schedules in order to provide adequate service. These hours and conditions shall be posted and may be contained in individual Collective Agreements.

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1996

CITY CLERK'S OFFICE

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library 1

MEMORANDUM

URBAN MUNICIPAL

APR 10 1996

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

GOVERNMENT DOCUMENTS

FROM: Mr. S. G. Hollowell,
Acting City Clerk

PHONE: 546-4645

SUBJECT: CITY COUNCIL MINUTES

DATE: 1995 April 13

Attached for your information and appropriate action is a copy of the City Council minutes from the special meeting held 1996 March 28.

Please undertake to carry out the directions of City Council.

att.

SGH/dg

12

Minutes of the Committee of the Whole/
Special City Council Meeting
March 28, 1996
1:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Morrow.
Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins,
Charters, Jackson, Merling, Anderson, D'Amico.

Absent: Alderman V. Agro - vacation
Alderman D. Wilson - City business
Alderman D. Ross - Regional business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - THIRD REPORT

1996 Grant Allocations
Capital Funding Issue
Bill E-1

Section 2 Re: Capital Funding Issue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Morelli, Collins, Jackson, D'Amico. -7.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

1996 March 28

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 2:15 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1996 March 28
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRD** Report for 1996 and respectfully recommends:

1. That the 1996 grant allocation as set out in Appendix "A" be approved in the total amount of \$234,430.
2. That any excess or surplus capital financing identified during 1996 through the closure of capital project accounts, as approved by City Council be reported to the Finance and Administration Committee for consideration of their use in funding additional capital grants.

Recorded vote:

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Morelli, Collins, Jackson, D'Amico. - 7

NAYS: Aldermen Copps, Eisenberger. - 2

CARRIED

3. That the following Bill be adopted, signed, sealed and enrolled as a by-law:

E-1: A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1996 March 28

The Corporation of the City of Hamilton 1996 GENERAL GRANT SUBMISSIONS

Appendix "A" as referred to
in Section 1 of the Third
Report of the Committee of
the Whole for 1996.

Item No. (1)	Name of the Organization (2)	1996 Approved Grant (3)	1996 Requested Grant (4)	1995 Grant (5)
1	African Caribbean Cultural Portpourri Inc. – operating costs for annual Caribbean Variety Show	\$2,940 (Subject to F/S)*	\$8,538	
2	Alchemist Theatre – offset annual operating costs	\$0	\$6,225	
3	Armenian Community Centre – offset costs incurred for parking lot	Referred to Capital***	\$25,000	
4	Associazione Nazionale Combattenti E Reduci – to help defray cost of events & annual operating costs	\$980	\$9,000	
5	Bay Area Jazz Society – offset costs for free summer concerts showcasing local jazz talent	\$800	\$1,000	\$800
6	The Beach Strip/Woodward Community Council – offset annual operating costs	\$480 (Subject to F/S)*	\$5,000	
7	The Bethel Education Development Centre – funds to offset the costs for software, manuals computers & related equipment	\$0	\$25,000	
8	Black Youth Achievements of Hamilton & Region Inc. – offset operating costs for 4 annual events	\$2,940	\$20,000	
9	Caribbean Canadian African Community – offset operating costs for festival Aug. 16–18	\$0	\$15,000	
10	Catholic Family Services of Hamilton–Wentworth – to enable the Self Program (persons with disabilities) the opportunity to participate in summer activities	\$500 (Subject to F/S)*	\$500	\$500
11	Club Afrique Summerfest – to operate Summerfest '96 Festival	\$0	\$100,000	
12	Comunita Racalmutese Maria SS Del Monte Ontario Inc. – offset operating expenses for annual special event	\$4,000 (Subject to F/S)*	\$20,000	\$4,000
13	Conqueror II Drum & Bugle Corps – offset annual operating expenses and assist with the purchase of a new keyboard for the Corps	\$6,000	\$9,999	\$6,000
14	Creative Arts – Streetfest – to offset the operating costs for the event	\$4,000	\$4,000	\$4,000

The Corporation of the City of Hamilton

1996 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1996 Approved Grant (3)	1996 Requested Grant (4)	1995 Grant (5)
15	Crown Point Drum & Bugle Corps – assist with annual operating expenses, new uniforms and instruments	\$1,000	\$8,000	\$1,000
16	Cycle Hamilton – offset the cost of annual racing series	\$5,000	\$7,500	\$5,000
17	Greek–Canadian Orthodox Church – funds needed to offset operating expenses for 5 events	\$2,800 (Subject to F/S)*	\$9,000	\$2,800
18	Hamilton Aids Network – to produce a compact disk of music to be sold to the general public as means of fundraising	\$0	\$3,700	
19	Hamilton All Star Jazz Band – offset annual operating costs	\$4,000	\$6,000	\$4,000
20	Hamilton Artists Inc. – offset annual operating expenses	\$7,000	\$9,500	\$7,000
21	Hamilton Association for Community Living – to assist with the operating costs of the Supported Leisure Program to enable an extra 100 individuals to participate	\$0	\$30,000	
22	Hamilton Ballet Youth Ensemble – to offset annual operating expenses and assist with the operation of their second annual production	\$6,000	\$15,000	\$6,000
23	Hamilton Cardinals Baseball – to assist with annual operating expenses	\$2,400 (Subject to F/S)*	\$2,400	\$2,400
24	Hamilton Children's Choir – to assist in the operating expenses of the choir	\$700	\$1,500	\$700
25	Hamilton Concert Band – to assist with ongoing expenses of the band	\$3,000	\$3,000	\$3,000
26	Hamilton District Baseball Association – to help offset general operating expenses	\$4,000	\$9,000	\$4,000
27	Hamilton & District Extend–A–Family – to purchase three computers to provide a learning hands–on experience for children with disabilities	\$0	\$8,500	
28	Hamilton and District Labour Council – to help offset the costs of the annual Labour Day Parade and Picnic	\$1,000 (Subject to F/S)*	\$1,000	\$1,000

The Corporation of the City of Hamilton 1996 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1996 Approved Grant (3)	1996 Requested Grant (4)	1995 Grant (5)
29	Hamilton East Kiwanis Boys' & Girls' Club – to provide a Youth Empowerment Co-ordinator to work with troubled Youth in the community	\$0	\$14,000	
30	Hamilton Filipino Community Centre – funds to be used in the restoration of the building	Referred to Capital*** (Subject to F/S)*	\$25,000	\$12,500
31	Hamilton Folk Arts Heritage Council – to offset the operating expenses for "It's Your Festival"	\$8,800	\$50,000	\$10,000
32	Hamilton Gallery of Distinction – offset the costs for the annual Induction Dinner	\$5,000	\$5,000	\$5,000
33	Hamilton Golden Hawks Women's Hockey Club – to offset operating expenses for ice rental	\$0	\$3,700	
34	Hamilton Hornets Rugby Football Club – to assist with the junior program and development of a women's program	\$0	\$5,000	
35	Hamilton Lacrosse Association – for the development of the field and girls program	\$5,000	\$30,000	\$5,000
36	Hamilton Minor Football Association – continue general activities – purchase and replacement of equipment to ensure safety	\$9,000	\$9,000	\$9,000
37	Hamilton Pontiacs – to offset operating expenses (diamond rental)	\$875	\$1,219	\$875
38	The Hamilton Safety Council – to maintain the ongoing Safety Programs	\$19,000	\$24,000	\$19,000
39	The Hamilton Ships Company of 1812 – to complete a Feasibility Study on the viability of building an 1812 Warship	\$0	\$27,000	
40	Hamilton Theatre Inc. – to assist with annual operating expenses	\$7,500	\$7,800	\$7,500
41	Hamilton Victoria Curling Club – to undertake 4 building restoration projects	Referred to Capital***	\$9,990	\$9,900
42	Hamilton Visual Arts Centre – to assist with ongoing operating expenses and supplies	\$1,000	\$2,126	\$1,000
43	Hamilton–Wentworth Council of Metis Nation of Ontario – to offset annual operating expenses	\$500	\$4,000	\$500

The Corporation of the City of Hamilton

1996 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1996 Approved Grant (3)	1996 Requested Grant (4)	1995 Grant (5)
44	91st Highlanders Athletic Association – to assist with costs of annual Indoor Games	\$42,250	\$50,000	\$45,000
45	India Canada Society – to operate general activities	\$1,000	\$5,000	\$1,000
46	The John Laing Singers – to offset annual operating expenses and concert(s) for Philharmonic Orchestra	\$2,000 (Subject to F/S)*	\$13,000	\$2,000
47	Junior Achievement of Hamilton–Wentworth – to offset operating budget of the organization	\$5,000	\$7,500	\$5,000
48	Kiwanis Music Festival – to help defray costs of annual festival	\$2,500 (Subject to F/S)*	\$2,500	\$2,500
49	Luso Canadian Cultural Council of Hamilton – to offset the costs of hosting a week of special events	\$2,500 (Subject to F/S)*	\$7,000	\$2,500
50	Mom's Camp – to offer a respite program for mom's of children with special needs	\$600 (Subject to F/S)*	\$620	
51	Mountain City Co–operative Homes Inc. – to purchase a flag pole and new sign for Co–op	\$0	\$1,000	
52	Music in the City – to offset the operating expenses for the Music in the City Concert Series	\$2,000 (Subject to F/S)*	\$10,000	\$2,000
53	Native Indian/Inuit Photographers' Association – to assist with ongoing operating expenses	\$4,750	\$10,000	\$5,000
54	Navy League of Canada – Hamilton Branch – to offset the cost of the children's sail training summer program	\$0	\$1,500	
55	Ontario Visually Impaired Golfers – to offset expenses for golf lessons and fees	\$2,000	\$2,500	\$2,000
56	Player's Guild of Hamilton Inc. – to assist with improving the technical capabilities of their productions	\$2,950	\$5,000	\$3,000
57	Poseidon Aquatic Club – Waterpolo for Women – to offset general expenses	\$480	\$3,000	

The Corporation of the City of Hamilton 1996 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1996 Approved Grant (3)	1996 Requested Grant (4)	1995 Grant (5)
58	Ridge Raiders Drum & Bugle Corps – to assist with annual costs and enable present programme to expand	\$6,000	\$10,000	\$6,000
59	Royal Hamilton Military Institute – to provide financial assistance in covering a portion of the fixed overhead costs of maintaining the RHM facility	\$3,000	\$30,000	\$3,000
60	Royal Hamilton Yacht Club – offset the costs of providing a 1st class youth programme	\$0	\$3,500	
61	St. George's Benevolent Society of Hamilton – to help defray organizing and promotion costs of Hamilton's Heritage Celebration Dinner	\$480	\$10,000	
62	SPICMACAY – to offset annual operating expenses	\$500	\$1,580	\$500
63	Skills Canada Ontario – to cover 10% of operating costs of Annual Ontario Skills Competition	\$0	\$20,000	
64	Symfonia Choir – to offset operating expenses	\$950	\$10,000	\$1,000
65	Symphony Hamilton – to offset annual operating expenses and to undertake a study to investigate organizing a Symphony Day in the spring of 1998	\$6,000	\$14,500	\$7,000
66	The Volunteer Centre – to host the annual Volunteer Week activities	\$9,000	\$10,000	\$9,000
67	Wentworth Shooting Sports Club – to fund building repairs to improve outward appearance	Referred to Capital***	\$11,139	
68	Wesley Urban Ministeries – Kirkendall Strathcona Neighbourhood House – to provide recreational/social programs for seniors		\$25,000	
	– Wesley Centre – to provide recreational/social programs for persons attending Drop-In Centre	\$23,750	\$25,000	\$25,000
69	West Mountain Cougars Senior Baseball Club – to help defray operating expenses	\$500	\$2,000	\$500

The Corporation of the City of Hamilton 1996 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1996 Approved Grant (3)	1996 Requested Grant (4)	1995 Grant (5)
70	Youth Flight Canada Education Fund – to sponsor the construction of a flyable aircraft by Hamilton Youths	Referred to Capital***	\$30,000	
71	YWCA – Ottawa Street – to cover the costs of replacing the underground piping of the swimming pool due to the age of the facility	Referred to Capital***	\$62,535	
Totals		\$234,425	\$965,071	\$254,475

NOTE:

*

Grant subject to receipt of the appropriate Financial Information

Request referred for Capital Funding Consideration

BOLD

Indicates First Time Applicant

Indicates Late Application

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1996

CITY CLERK'S OFFICE

MEMORANDUM

URBAN MUNICIPAL

APR 16 1996

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

GOVERNMENT DOCUMENTS

FROM: Mr. J. J. Schatz
City Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MEETING

DATE: 1996 April 11

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held April 9, 1996.

Please undertake to carry out the directions of City Council.

JJS/dg
att.

Minutes of Hamilton City Council
Tuesday, 1996 April 9
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross.

Absent: Alderman F. D'Amico - Civic business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Joseph Fulop, St. Stephen's Hungarian Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 March 26 were amended and adopted.

The minutes of the special meeting held 1996 March 28 were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Morris Smurlick who was a Past Member of the Hamilton Civic Hospitals Board of Directors.

Mayor R. M. Morrow announced to City Council that His Royal Highness the Prince of Wales would be visiting the City on 1996 May 26 for a three hour period. The Mayor outlined the plans being made for this visit.

CORRESPONDENCE/PETITIONS

1. Letter and petition dated 1995 November Re: Funding of Wesley Urban Ministries.

Received.

2. Letter dated 1996 March 29 from M. Jane Lee, Clerk/Director of Administrative Services for the Town of Flamborough regarding the Final Report - Local Government Review Committee.

Received.

3. Letter dated 1996 April 9 from J. J. Schatz, City Clerk advising of objections to By-law No. 96-033 respecting property at 1600 Garth Street, Hamilton, Ontario

No Action Taken.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Wilson, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

Rule No. 9 Re: Parking regulation on Glenvale Drive.

It was moved by Alderman Merling and seconded by Alderman Ross that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting a parking regulation on Glenvale Drive.

CARRIED.

* * * * *

Section 27 Re: Parking Regulation on Glenvale Drive and Bill A-18: A By-law to Amend By-law No. 89-72 to Regulate Traffic

It was moved by Alderman Merling and seconded by Alderman Ross that the following resolution be added as Section 27 of the FIFTH Report of the Transport and Environment Committee for 1996:

- (a) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Glenvale Drive between Garth Street and Cranbrook Drive be shortened, such that the regulation commences at a point 234 feet west of Garth Street and extends to Cranbrook Drive and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

A-18 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 2 Re: Zoning Application 95-34, Re: 252, 262, and 268 James St. S.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 8 (a) (i) Attaching an Appendix "B"

It was moved by Alderman Drury and seconded by Alderman Copps that Item 8 (a) (i) of the Sixth Report of the Planning and Development Committee for 1996 be amended by adding the words "marked as Appendix "B".

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - SEVENTH REPORT

Section 9 Re: F.C.M. Conference

It was moved by Alderman Copps and seconded by Alderman Kiss that Section 9 of the Seventh Report for 1996 of the Finance and Administration Committee be amended to authorize the Mayor, the Chairman of the Finance and Administration Committee or his designate and two members of Council to attend the F.C.M. Conference.

Recorded vote

YEAS: Aldermen Kiss, Agro, McCulloch, Copps. -4.

NAYS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -12. **LOST.**

* * * * *

Section 9 Re: F.C.M. Conference - Calgary

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

NOTICE OF MOTION (Notice given - February 27, 1996)

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following resolution be considered:

"WHEREAS the Central Business District of the City of Hamilton has been in a very depressed state in recent years; and,

WHEREAS the Central Business District's health and vibrance is essential to the well-being of the entire Region; and,

WHEREAS the "1975 Assessed Value" of properties in the City of Hamilton has had a particularly devastating effect on the Central Business District,

THEREFORE BE IT RESOLVED, that the City of Hamilton seek special legislation to allow the City of Hamilton, the Region and School Boards, "to redistribute the tax burden and lower taxes in designated areas in the City".

* * * * *

It was moved by Mayor Morrow and seconded by Alderman McCulloch that the motion by Alderman Agro respecting the lowering of taxes in designated areas in the City be amended by deleting the third paragraph in its entirety and substituting in lieu thereof the following:

WHEREAS the assessed value of properties is far too high and
has had a devastating effect on the Central Business District,

and further by deleting the words:

"redistribute the tax burden and" in the third sentence of the
fourth paragraph. **CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman Ross that the motion respecting the seeking of special legislation to allow the City of Hamilton, the Region and School Boards to lower taxes in designated areas of the City be referred to the Finance and Administration Committee for detailed reports from the City Solicitor and City Treasurer. **CARRIED.**

RESOLUTION (Closure of Hospitals in Hamilton)

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following resolution adopted by City Council at its meeting held March 12, 1996 be reconsidered:

- (a) That Hamilton City Council is on record as vehemently opposing the closure of any hospital, acute care or urgent care facility within its boundaries; and,
- (b) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, all Area M.P.P.'s, the Hamilton-Wentworth Health Action Task Force and the Regional Health Council. **CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman McCulloch that the resolution adopted by City Council at its meeting held March 12, 1996 respecting the closure of any Hamilton hospitals be rescinded and replaced with the following motion:

Whereas the existing Hamilton Hospitals are absolutely vital to the health and welfare of Ontario citizens throughout south-western Ontario; and

Whereas the health services provided by these hospitals extend far beyond the boundaries of Hamilton-Wentworth; and

Whereas the continuing growth in population of south-western Ontario will increasingly require the services of these Hospitals; and

Whereas these Hospitals are Canadian Centres for specialties such as Heart Care, Cancer, Kidney Dialysis, Geriatrics, etc., thus creating a complete network of Health and Medical Care throughout the Region and beyond;

Therefore be it resolved:

- a) That the Council of the City of Hamilton is on record as vehemently opposing the closure of any hospital acute care or urgent care facility within its boundaries.
- b) That City Council express its shock and disappointment to the Hamilton-Wentworth Health Action Task Force for recommending the closure of the Henderson General Hospital and the relocation of St. Joseph's Hospital which has long been a success story with a great reputation for its outstanding health care service."
- c) That a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Health, all Area M.P.P.'s, the Hamilton-Wentworth Health Action Task Force and the Regional Health Council." **CARRIED.**

Recorded vote on Section (b)

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Morelli, Collins, Charters, Jackson, Merling, Anderson, Ross. -13.

NAYS: Aldermen Caplan, Eisenberger, Wilson. -3.

CARRIED.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:30 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 April 9
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the west side of Robins Avenue between Barton Street East and Newlands Avenue be revised such that the regulation commences at a point 69 feet south of Barton Street East and extends to the south property line of No. 121 Robins Avenue and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the maximum number of permits to be issued be reduced from six to four.
2. That a "Two Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Gibson Avenue between Barton Street East and Cannon Street East and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That a "No Parking" regulation be implemented on the north side of Hunter Street West commencing 124 feet east of Caroline Street South and extending to a point 75 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That the existing "No Parking" regulation on the north side of Burton Street commencing at Cheever Street and extending to a point 114 feet easterly therefrom be removed; and,

(b) That a "No Stopping" regulation be implemented on the north side of Burton Street commencing at Cheever Street and extending to a point 47 feet easterly therefrom; and,

(c) That a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Burton Street commencing at a point 47 feet east of Cheever Street and extending to a point 67 feet easterly therefrom; and,

(d) That the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That the existing residential boulevard parking agreement registered as Instrument No. 274603 C.D. to the property at No. 130 Campbell Avenue be discharged, at the property owner's expense; and,

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
6. (a) That a "Permit Parking" regulation be implemented on the west side of Catharine Street North commencing at a point 116 feet north of MacAuley Street East and extending to a point 20 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Yvonne Fortman, No. 485 Catharine Street North.
7. (a) That a "Permit Parking" regulation be implemented on the south side of Wood Street East commencing at a point 159 feet east of Catharine Street North and extending to a point 14 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Susan Martin, No. 108 Wood Street East.
8. That a "No Stopping" regulation be implemented on the south side of Justine Avenue commencing at Park Row South and extending to a point 40 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the east side of Ravenbury Drive (west leg) commencing at a point 209 feet south of the south curb line of Ravenbury Drive (north leg) and extending to a point 39 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That southbound traffic on Brighton Avenue be required be required to stop for eastbound and westbound traffic on Morley Street and that the City Traffic By-law No. 89-72 be amended accordingly.

11. That a purchase order be issued to Niagara Paint Inc., Hamilton, Ontario, for the supply and delivery of traffic paint as and when required during 1996 by the Public Works and Traffic Department, being the lowest of five bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$200,000. be financed through the Pavement Markings Account No. CH56153 75999.
12. That the purchase order issued to Econolite Canada Ltd., Scarborough, Ontario for the supply and delivery of traffic signal heads to the Traffic Division of the Department of Public Works and Traffic as and when required during 1996 be amended to approve a maximum spending limit of \$75,000. not including taxes, and that this expenditure be financed through the Traffic Signals Materials Account No. CH56152 75999.
13.
 - (a) That a School Crossing Guard be assigned to the intersection of Kentley Drive and Nash Road during the morning and evening school crossing periods only, on a permanent basis; and,
 - (b) That the School Crossing Guard at Country Club Drive and Greenhill Avenue be removed.
14. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Greenhill Avenue commencing at a point 79 feet east of Kimberly Drive and extending 20 feet easterly and that the City Traffic By-law No. 89-72 be amended accordingly.
15.
 - (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be relocated:

Route #2 Barton

Delete - Eastbound -	Melvin Avenue, south side, 60 feet west of the west curb line (projected) of Woodward Avenue (M/B); and,
Add - Northbound -	Woodward Avenue, east side, 172 feet north of the north curb line of Melvin Avenue (F/S); and,
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

16. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved, provided:
 - (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
17. (a) That the following City land be incorporated into Eleanor Avenue:

Eleanor Avenue	Part 4	62R-13505
----------------	--------	-----------

 - (b) That the by-law to carry out the incorporation of the said land into the foregoing street be enacted by Council; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
18. That the appropriate by-law to amend By-law No. 10605 respecting local improvement charges for the construction of roads, curbs, sidewalks and alleys be enacted by City Council.
19. That the appropriate by-law to amend Section 22 of By-law No. 85-159, to revise the maximum fine for the Collectible Waste By-law to \$5,000., be approved.
20. (a) That an Option to Purchase, duly executed by Joseph Salgo and Joan Marie Salgo on 1996 March 15 and scheduled to close on or before 1996 May 30 for the purchase of the lands being composed of part of Lot 7, Concession 8, in the former Township of Barton, now in the City of Hamilton, more specifically described as Part 3, Plan 62R-11322, containing an area of 303.3 square metres (3,265.1 square feet), more or less, being part of No. 1476 Upper Gage Avenue, Hamilton, be approved and completed; and,

- (b) That as consideration in the amount of \$2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,
 - (c) That it is understood and agreed that all costs for the establishment of the Elmore Drive extension from Elmore Drive to Royal Vista Drive including land costs, consultant fees, construction and overhead costs, will be charged against the 1 foot reserve and recovered at the time of development of the abutting lands in accordance with standard subdivision policies; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute all the necessary documents.
21. (a) That an Option to Purchase, to be executed by Gene Lee, Helen Lee and Daniel Stuart Alvey and scheduled to close on or before 1996 May 30 for the purchase of the lands being composed of part of Lot 7, Concession 8, in the former Township of Barton, now in the City of Hamilton, more specifically described as Part 4, Plan 62R-11322, containing an area of 305.18 square metres (3,285.14 square feet), more or less, being part of No. 1476 Upper Gage Avenue, Hamilton, be approved and completed; and,
- (b) That as consideration in the amount of \$2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,
 - (c) That it is understood and agreed that all costs for the establishment of the Elmore Drive extension from Elmore Drive to Royal Vista Drive including land costs, consultant fees, construction and overhead costs, will be charged against the 1 foot reserve and recovered at the time of development of the abutting lands in accordance with standard subdivision policies; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute all the necessary documents.
22. That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton has no objection to TASSCO Ltd. carrying out the proposed PCB destruction for Westinghouse Canada Inc. at No. 1632 Burlington Street East, Hamilton.

23.
 - (a) That the construction of an independent concrete sidewalk on the north side of Stone Church Road from Upper Wellington Street to Upper Wentworth Street proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$164,000. with a City's Share of \$79,591.27 and an Owner's Share of \$84,408.73, all as provided in the 1996 portion of the 1996 - 2005 Capital Budget; and,
 - (b) That the Finance and Adminstration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works; and,
 - (e) That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary by-law in a form satisfactory to the City Solicitor.
24.
 - (a) That the Region of Hamilton Wentworth be requested to earmark required 1996 Regional Road Maintenance current budget reductions as those potential savings which may be achievable through the transfer of Regional Roads Maintenance Services to the balance of area municipalities, rather than service reductions and using the Regional snow reserve as a transitional buffer; and,
 - (b) That the Region of Hamilton Wentworth be advised that the City of Hamilton has reduced its road maintenance equipment costs commencing 1996 which will result in savings to the Region of \$165,000. (based on 1995 service levels) with no reduction of services.
25. That the City by By-law establish a parcel of land (Part 2, 62R-5470) to extend Garth Street from the south side of Rymal Road southerly to the City's boundary with Glanbrook.
26. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) A-12 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-13 A By-law to Amend By-law No. 89-72 to Regulate Traffic

- (c) A-14 A By-law to Incorporate City Land Designated as Part 4, on Plan 62R-13505 into Eleanor Avenue
 - (d) A-15 A By-law to Amend Local Improvement By-law No. 10605 Respecting Revised Costs to the Corporation for the Installation of Local Improvements
 - (e) A-16 A By-law to Amend By-law No. 85-159 Respecting Collectible Waste
 - (f) A-17 A By-law to Establish City Land Designated as Part 2, on Plan 62R-5470 as Garth Street
27. (a) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Glenvale Drive between Garth Street and Cranbrook Drive be shortened, such that the regulation commences at a point 234 feet west of Garth Street and extends to Cranbrook Drive and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- A-18 A By-law to Amend By-law No. 89-72 to Regulate Traffic.
ADDED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 April 1

Appendix "A" as referred to in
Section 16 of the FIFTH Report
of the Transport and Environment
Committee for 1996

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/ Annual Fee</u>	<u>File No.</u>
MacNab Street	394 MacNab Street North	J. and I. Jose	Portion of the front porch measuring 3.033m x 0.113m	\$138/20	T103 50 1215
Vineland Avenue	36 Fairholt Road South	P. and A. Byrne	Portion of chimney measuring 1.295m x 0.061m and eaves measuring 4.267m x 0.183m	\$138/20	T103 50 1226
Public Assumed Alley	144 Herkimer Street	A. Noble and J. and S. Hammond	Corner portion of frame Garage encroaching by 0.060m	\$138/20	T103 50 1217
Linwood Avenue	40 Linwood Avenue	C. Prunean	Portion of concrete steps measuring 1.829m x 0.576m	\$138/20	T103 50 1232

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Application SE-96-001 under the Rental Housing Protection Act, 867065 Ontario Inc, owner, to sever the land, which contains three mixed commercial/residential buildings with a total of 10 rental apartments into three separate parcels, for the property located at 252-268 James Street South, subject to the following condition:

That the owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
- (b) That upon satisfaction of the above noted condition, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
2. (a) That approval be given to amended Zoning Application 95-34, 867065 Ontario Inc. (M. Presta) owner, requesting a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit severance of the property into three (3) separate lots and permit additional commercial and residential uses within the basement level of the existing buildings, for property located at 252, 262, and 268 James Street South, shown as Blocks "1", "2" & "3" on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of By-law No. 6593, applicable to Blocks "1" , "2" & "3", be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 11A(1) of Zoning By-law No. 6593, the following residential and commercial uses and any combination thereof, shall be permitted in the buildings existing on the day of the passing of this by-law except as provided in clause b):

(i) **Commercial Uses:**

1. General Offices; Medical Offices;

(ii) **Residential Uses:**

1. Multiple dwellings;

- (b) **Commercial Uses** comprised of medical offices, the aggregate floor area of which shall not exceed 50% of the total gross floor area of the building including the basement or cellar;
- (c) No part of the land abutting James Street South shall be used for vehicle access to or from James Street South;
- (d) No part of the yard adjacent to James Street South shall be used for parking of vehicles;
- (e) That notwithstanding Clauses (a) and (c) of Subsection 4 of Table 1 of Section 18A of Zoning By-law 6593, a minimum of 24 parking spaces shall be provided and maintained, as follows:
 - (i) a minimum of 13 parking spaces shall be provided and maintained on Block "1";
 - (ii) a minimum of 6 parking spaces shall be provided and maintained on Block "2";
 - (iii) a minimum of 5 parking spaces shall be provided and maintained on Block "3";
- (f) That notwithstanding Section 18A (7) of Zoning By-law 6593, not more than three (3) of the parking spaces on Block "1" and four (4) of the parking spaces on Block "2" shall be permitted to have dimensions not less than 2.7 m wide and 5.0 m long;
- (g) That notwithstanding Table 4 & 5 of Section 18A of By-law 6593, no loading space shall be required;

- (h) That Sections 18A(11), 18A(12)(a) and 18A (26) shall not apply;
 - (i) The southerly driveway access for the parking area along the westerly property line of Block "3" adjacent to Markland Street shall not be used for any purpose other than an entrance from Markland Street; and,
 - (j) The northerly driveway access for the parking area along the westerly property line of Block "1" adjacent to Herkimer Street shall not be used for any purpose other than an exit to Herkimer Street.
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1356, and that the subject lands on Zoning District Map W-6 be notated S-1356;
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-6 for presentation to City Council;
 - (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That By-law Nos. 85-200 and 86-103, applicable to the subject lands, be repealed in their entirety.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

3. That the Building Commissioner be authorized to deny the demolition permit for 30 Norfolk Street North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

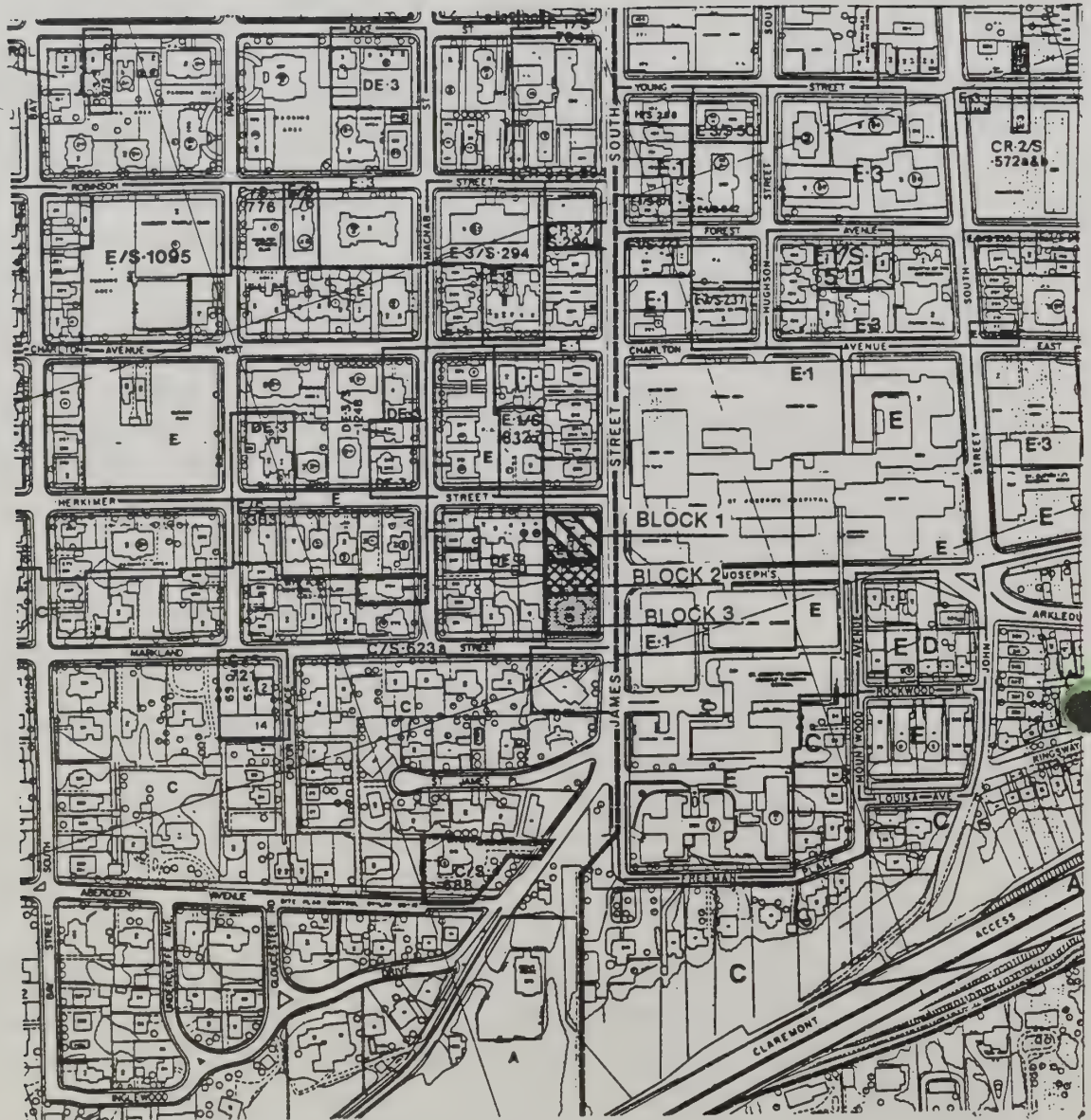
4. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 5 Goderich Road from the building covenants to the City of Hamilton as contained in Instrument No. 378440 C.D. registered on 1996 September 5.
5. That the Building Commissioner be authorized to issue a demolition permit for 173 Park Row North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
6. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-95-294, respecting property located at No. 999 Upper James Street.
7. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings in support of the Committee of Adjustment decision to deny Application No. A-96-17, respecting property located at No. 144 Highridge Avenue, and to approve Application No. A-96-21, respecting property located at No. 86 Dodson Street.
8. (a) That approval be granted to application CDM-CONV-95-007 submitted by Meroc Developments (In Trust), owner, for a draft plan of condominium for property located at Nos. 97 and 101 Connaught Avenue South to provide for a condominium comprised of a 3 storey apartment building containing 12 individual apartment condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated March 23, 1995 prepared by B.J. Clarke, O.L.S.; marked as Appendix "B".
ADDED.
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor;
 - (iii) That prior to approval of the final plan,
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and

- (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593;
- (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-007);
- (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
- (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan.
- (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
- 9. That By-law No. 88-250 adopting Official Plan Amendment No. 66, which incorporates the Central Area Plan as a secondary plan and redesignates Pier 10 and 11 from utilities to industrial, be repealed.

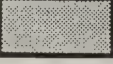
Respectfully submitted,

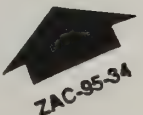
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 April 3**

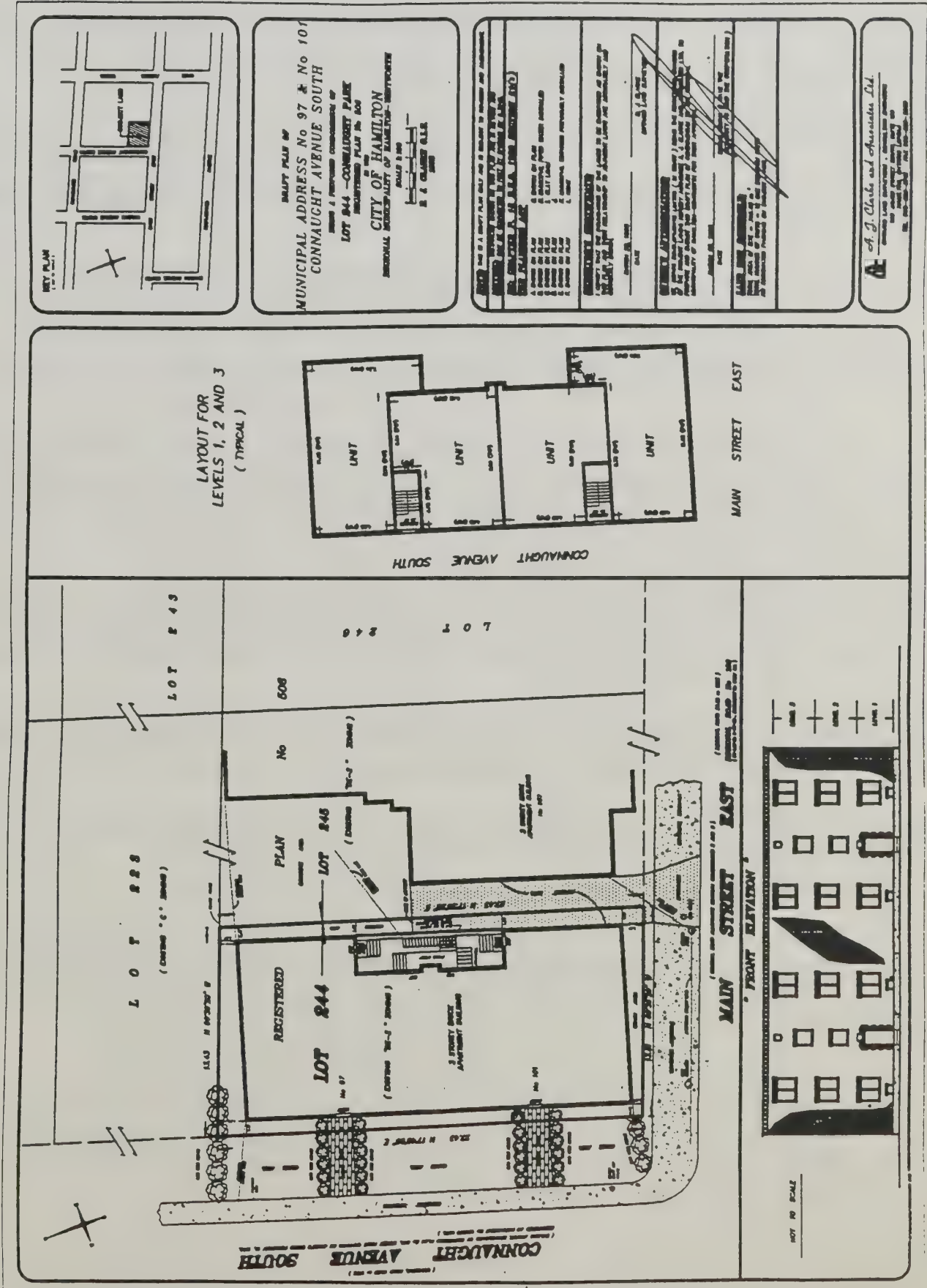


Legend

- | | | |
|---------|---|--|
| BLOCK 1 |  | "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District Modified. |
| BLOCK 2 |  | "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District Modified. |
| BLOCK 3 |  | "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District Modified. |



APPENDIX A



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. (a) That an exemption be made to City of Hamilton By-law 84-191 respecting the Keeping of Animals, to allow Chanene Ellis of 190 Limeridge Road West to keep her two year old spider monkey, on the condition that the H.S.P.C. is satisfied that the monkey is being properly cared for, and of no nuisance or danger to others; and,

 (b) That the City Solicitor be authorized and directed to prepare amendments to the City of Hamilton By-law 84-191 in order to allow the City to give consideration to requests for granting specific exemptions on the keeping of exotic animals.
2. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 1819/93 by the payment to the Plaintiffs, Joan Craig, Walter Craig and Deborah Craig of the amount of \$15,200, inclusive of all claims for damages, interest and costs; and,

 (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

 (c) That Ontario Court (General Division) Action No. 1819/93, including all cross-claims, be dismissed without costs.
3. That approval be given to the Hamilton-Wentworth Council on Smoking and Health to use the Council Chamber on Thursday, 1996 May 30 from 7:00 o'clock p.m. to 9:00 o'clock p.m. for an awards presentation on the occasion of World No Tobacco Day.
4. That approval be given to The Ontario Workers' Arts and Heritage Centre request to use the 2nd Floor Foyer East and West, from 1996 August 19 to September 3rd, to display architectural drawings of the proposed renovations to the Custom's House, together with artifacts found at the site.

5. (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

90 Hempstead

- (b) That the by-law to authorize the said Extension Agreement be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.
6. (a) That as referred to in Section 23 of the Fifth Report for 1996 of the Transport and Environment Committee, the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-law in a form satisfactory to the City Solicitor to construct an independent concrete sidewalk on the north side of Stone Church Road from Upper Wellington Street to Upper Wentworth Street under the Local Improvement Act at an estimated cost of \$164,000 with the City's share of \$79,591.27 and owner's share of \$84,408.73; and,
- (b) That the City's share of \$79,591.27 be financed from the 1996 Capital Levy (Account Centre No. CH 22002) and the owner's share of \$84,408.73 be financed by the issuance of debentures for a period not to exceed 20 years; and,
- (c) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures for the owner's share in the amount of \$84,408.73 for a term not to exceed 20 years for the above project.
7. That authorization be given to issue a purchase order in the amount of \$49,113, inclusive of GST (\$3,213), to Geonis Mechanical Contracting Limited of Stoney Creek to supply the labour and materials to replace the victaulic fittings within the Central Utilities Plant, this being the lowest tender received in accordance with the specifications (Ref: C14-2-96) issued by the Purchasing Division.

8. (a) That the City of Hamilton continue to utilize the services of bailiffs for the collection of outstanding business tax arrears and extend existing agreements with ABS Bailiff Services to 1996 July 31; and,

(b) That the Treasury Department request "Letters of Interest" for the on-site collection of outstanding business taxes from Bailiffs licensed to operate in the City of Hamilton in order to provide for the expansion of the present program on a permanent basis.
9. That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the 1996 Federation of Canadian Municipalities Conference on 1996 May 31 - June 3 in Calgary, Alberta.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

10. (a) That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Hamilton International Air Show to be an event of municipal, and indeed International significance to the City of Hamilton; and,

(b) That as such, the City has no objection to the extension of hours to 3:00 o'clock a.m. for the following dates and locations:
 - (i) Tailgate Charlies, 69 John Street South (official hospitality headquarters); Texas Border, 77 King William Street; Gaslight, 19 John Street South; The Keg, 33 Bowen Street:
 - (1) Thursday, 1996 June 13th - Hospitality Kick-off to start at 8:00 o'clock p.m.; and,
 - (2) Friday, 1996 June 14th - Post Party Twilight Show to start at 11:00 o'clock p.m.; and,

- (3) Saturday, 1996 June 15th - Post Air Show Party to start at 8:00 o'clock p.m.; and,
- (4) Sunday, 1996 June 16th - Post Party Reception to start at 11:00 o'clock p.m.

11. That the four Street Vendor locations be awarded for the period commencing 1996 April and continuing to the end of 1998 December, to the successful proponents, one cart per location, as listed:

<u>NAME</u>	<u>LOCATION</u>	<u>PRODUCT</u>	<u>FEE</u>
Gorpap Holdings Ltd	#11 Stelco Tower (entrance area)	Sausage/Hot Dogs Soft Drinks	\$3,000
Helen Pawlowski	#16 S/E Corner of King & James (opposite Royal Bank)	Sausage/Hot Dogs Soft Drinks	\$5,000
Lou Bojin (of Streatables)	#31 Turner Farm Park (Chip Wagon type vehicle)	Sausages, Hot Dogs, Hamburgers, Fries, Soft Drinks	\$10,000
J & C Matijasich	#30 N/W Corner of Hunter and Hughson	Sausages/Hot Dogs Soft Drinks	\$ 600

and that this approval is subject to confirmation of the following:

- (a) The products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,
- (b) The submitted bids remain unchanged following the review by the Health Department; and,
- (c) The proponents enter into a legal agreement satisfactory to the City; and,
- (d) The City Solicitor be authorized to execute the agreements.

12.
 - (a) That the City of Hamilton apply for Summer Career Placement Grants from Human Resource Development Canada, for a law student and a business/accounting student for not more than sixteen (16) weeks employment in the Summer of 1996; and,
 - (b) That the City Solicitor/City Treasurer be authorized to execute on behalf of the City, any Agreements required by Human Resource Development Canada in respect of the Summer Career Placement Program; and,
 - (c) That the staff seek immediate applications from eligible students through Canada Employment Centres for Students for these tentative positions.
13.
 - (a) That the City of Hamilton apply for Summer Career Placement Grants from Human Resource Development Canada, for 33 students (including 1 Administrative/Clerical, 6 Administrative/Computer, 26 Horticultural/Labourer placements) for not more than sixteen (16) weeks employment in the Summer of 1996; and,
 - (b) That the City Solicitor/City Treasurer be authorized to execute on behalf of the City, any Agreements required by Human Resource Development Canada in respect of the Summer Career Placement Program; and,
 - (c) That the staff seek immediate applications from eligible students through Canada Employment Centres for Students for these tentative positions.
14.
 - (a) That the City of Hamilton apply for Summer Career Placement Grants from Human Resource Development Canada, for six students. Two will be required from Clerical/Electronic Office Management Studies and four other students involved in the studies of Building Maintenance, Landscaping, Electronics, and Electrical for not more than sixteen (16) weeks employment in the Summer of 1996; and,
 - (b) That the City Solicitor/City Treasurer be authorized to execute on behalf of the City, any Agreements required by Human Resource Development Canada in respect of the Summer Career Placement Program; and,
 - (c) That the staff seek immediate applications from eligible students through Canada Employment Centres for Students for these tentative positions.

15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-23 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-24 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 April 2**

URBAN/MUNICIPAL

C44 ON HBLA05

M21

1996

CITY CLERK'S OFFICE

MEMORANDUM

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

FROM: Mr. J. J. Schatz
City Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MEETING

DATE: 1996 May 1

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held April 30, 1996.

Please undertake to carry out the directions of City Council.

JJS/dg
att.

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library 1*

Minutes of Hamilton City Council
Tuesday, 1996 April 30
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger,
Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman B. Morelli - regional business
Alderman H. Merling - personal commitment

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend James Morrow, Hess Street Baptist Mission led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 April 30 were adopted as circulated.

PRESENTATION

Mayor Morrow presented Sesquicentennial Pins to the Blessed Sacrament "AAA" Adam Boys Basketball Team for winning the Provincial Championship.

CORRESPONDENCE

1. Memorandum dated 1996 April 22 from Hazel Milsome, Secretary, Greater Hamilton Downtown Community Development Corporation's Founding Board Re: Gore Park Fountain Location.

Referred to Parks and Recreation Committee.

2. Letter dated 1996 April 22 from the Regional Municipality of Hamilton-Wentworth, Clerk's Office respecting the Health and Social Services Committee recommendation regarding Evacuation of Saltfleet Arena - City of Stoney Creek.

Referred to Parks and Recreation Committee.

3. Letter dated April 19 from the Regional Municipality of Hamilton-Wentworth, Clerk's Office respecting the Administrative Services Committee recommendation regarding Better Municipal Government - Final Report from the Constituent Assembly.

Referred to Finance and Administration Committee.

4. Letter dated 1996 April 29 from Mr. G. M. Weis, President of CleanSoils Limited requesting council delay consideration of the recommendation of the Transport and Environment Committee respecting this firm's operations at Pier 26, Hamilton Harbour East Port Development.

Referred to Transport and Environment Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Ross in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 15

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

Section 1 (b) Re: CleanSoils

It was moved by Mayor Morrow and seconded by Alderman D'Amico that Section 1 (b) of the Sixth Report of the Transport and Environment Committee be amended by adding the following after the word "actions" in the second line, "to be", and adding after the word "issue" in the third line the words "at every meeting of the Transport and Environment Committee", and deleting the words "in one months time" in the third line. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SIXTH REPORT

Section 3 Re: Sculpture of Sir Allan Napier MacNab - MacNab Circle

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the following be added to Section 3 of the Sixth Report for 1996 of the Parks and Recreation Committee:

3. (c) (iii) That the donations received by the City for this initiative be paid to MacNab Circle in the form of a grant." **CARRIED.**

* * * * *

Section 7 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 8 (d) Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps,
Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 9 (d) Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps,
Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTH REPORT

PLANNING & DEVELOPMENT COMMITTEE - SEVENTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - EIGHTH REPORT

Section 6 Re: Firan Corporation - Donations - Sesquicentennial Celebrations

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps,
Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Alderman Wilson. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINTH REPORT

Section 1 (c) By-law to Levy an Annual Tax on Telephone Companies

Alderman D. Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is an employee of Bell Canada.

* * * * *

Section 6 Re: Mezzanine Curtaining System - Copps Coliseum

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

NOTICE OF MOTION FOR NEXT MEETING

Alderman V. Agro gave notice that he would move at the next regular meeting of City Council the following motion:

WHEREAS the revitalization of Hamilton's Downtown Core is critical to the well being and prosperity of the entire region of Hamilton Wentworth; and,

WHEREAS "residential development" in the Downtown Core is fundamental to any improvement and revitalization of the Downtown; and,

WHEREAS, virtually every study and every opinion expressed on revitalizing the Downtown have clearly pointed to the lack of residential development in the Downtown as being at the very root of it's problems,

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton waive all residential development charges in the area bounded by Queen, Cannon, Victoria and Hunter Streets for a 3 year period.
- (b) That the Region of Hamilton-Wentworth be requested to review it's development charges respecting the application of residential charges in the Downtown Core, that area outlined in section (a) with the intent of imposing no development charges in this area.

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 April 30
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. (a) That, due to the environmental impact on the Hamilton Beach Strip Residential Community, the City of Hamilton, through its Chief Administrative Officer, utilize all powers available through City, Regional, Provincial and Federal Departments/Ministries, to proceed as quickly as possible to close down the CleanSoils Limited Waste Disposal Site - Processing Operations located at Pier 26 - Hamilton Harbour East Port Development; and,

(b) That the Chief Administrative Officer be directed to report back to the Transport and Environment Committee on the actions to be taken and the status of the issue at every meeting of the Transport and Environment Committee.
AMENDED.
2. That the existing "No Parking" regulation on the west side of Independence Drive which commences at Templemead Drive and extends to the south property of No. 100 Independence Drive be shortened, such that the regulation commences at the south property line of No. 14 Independence Drive and extends to the south property line of No. 100 Independence Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "Permit Parking" regulation on the east side of Paling Avenue commencing at a point 603 feet south of Barton Street East and extending to a point 27 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "Permit Parking" regulation be implemented on the north side of Huron Street commencing at a point 96 feet west of Stirton Street and extending to a point 21 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Harry Mason, No. 31 Huron Street.

5. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Herkimer Street commencing at a point 117 feet west of Locke Street and extending 184 feet westerly therefrom, be revised such that the regulation is in effect only from Monday to Friday, and the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That the existing "No Parking" regulation on the north and east sides of Robson Crescent commencing at the east property line of No. 57 Robson Crescent and extending to a point 86 feet north of the north curb line of Robson Crescent be shortened such that the regulation commences at a point 74 feet east of the east curb line of Robson Crescent and extends to a point 86 feet north of the north curb line of Robson Crescent; and,

- (b) That the existing "No Parking" regulation on the south side of Robson Crescent commencing at the west curb line of Robson Crescent and extending to a point 89 feet easterly therefrom be shortened such that the regulation commences at the west curb line of Robson Crescent and extends to a point 69 feet easterly therefrom; and

- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

7. (a) That the following City land be incorporated into the following streets:

Claudette Gate	Part 4	62R-12354
Regina Drive	Parts 2,3,4,5,6	62R-9741; and,

- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-laws.

8. (a) That the streetscape improvements proposed on MacNab Street, Charles Street and Hurst Place which include the following be undertaken:
 - (i) concrete crosswalks on the north side of Bold Street at MacNab and Charles Street and at the intersection of MacNab Street and Hurst Place; and,

- (ii) widened concrete landings on the north and south side of the MacNab Street pedestrian tunnel including landscaping and irrigation systems; and,
 - (b) That the cost of this work estimated at \$30,000. be charged to Account No. CF5295 42021 - 1995 Reconstruction Program, MacNab Street from Bold to Hurst.
- 9. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:
 - " BATTLERIDGE SUBDIVISION (PHASE 3) ", Hamilton**

City's Share \$32,625.00 Subdivider's Share \$355,732.00

" BOW VALLEY ESTATES ", Hamilton

City's Share \$ 3,972.33 Subdivider's Share \$136,157.45

" KEMP ESTATES ", Hamilton

City's Share \$ 2,101.31 Subdivider's Share \$58,900.96

" KENTLEY LANE ", Hamilton

City's Share \$ -NIL- Subdivider's Share \$153,241.00
 - (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Battleridge Subdivision - Phase 3", "Bow Valley Estates", "Kemp Estates", "Kentley Lane" and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,
 - (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
 - (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

- (e) That the Treasurer recommend the source of funding for the City's share of services for "Battleridge Subdivision - Phase 3", "Bow Valley Estates" and "Kemp Estates".
- 10. That the Commissioner of Public Works and Traffic be directed to report back to the Transport and Environment Committee on how the City may be better able to provide co-ordinated services relating to transportation and environment currently provided on the City's behalf by the Region.
- 11. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) A-19 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-20 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (c) A-21 A By-law to Incorporate City Land Designated as Part 4, on Plan 62R-12354 into Claudette Gate
 - (d) A-22 A By-law to Incorporate City Land Designated as Parts 2, 3, 4, 5, 6 on Plan 62R-9741 into Regina Drive

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 April 22

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1996 and respectfully recommends:

1. That approval be given to install an Ontario Heritage Foundation Plaque at the south-east entrance of Victoria Park (Locke and King Streets) near the floral display to commemorate the "Nine-Hour Movement", a gathering held in May 1872 in the Great Central Park (changed to Victoria Park circa 1891) by union and non-union workers crusading for a shorter workday.
2. That approval be granted for the demolition of the twin gazebos (c.1965) on the North lawn of Dundurn Castle.
3.
 - (a) That the City of Hamilton accept the offer of the sculpture of Sir Allan Napier MacNab as commissioned by the MacNab Circle; and,
 - (b) That the estimated cost of \$10,000. for the sculpture be financed by fundraising by the MacNab Circle and that any short-fall in funding be covered by the MacNab Circle; and,
 - (c) That the Finance and Administration Committee be requested to authorize the City Treasurer to undertake the following:
 - (i) That an account be opened by the Treasury Department to receive all donations, made payable to the City of Hamilton, for this initiative; and,
 - (ii) That the City of Hamilton issue Charitable Income Tax Receipts for donations of \$10. and over.
 - (iii) That the donations received by the City for this initiative be paid to MacNab Circle in the form of a grant. **ADDED.**

4. That Section 1 of the THIRTEENTH Report of the Parks and Recreation Committee for 1983 respecting regulations for burial of Veterans in the Field of Honour, Woodland Cemetery, be amended to require that full payment for the required upright granite headstone accompany all applications for burial in the Field of Honour.
5. (a) That approval be given to The Hamilton Ships Company of 1812 to fire artillery (between 10:00 o'clock a.m. and 12:00 o'clock noon on 1996 July 13) in Harvey Park as part of the Burlington Races Re-enactment; and,
(b) That approval be subject to the following terms and conditions:
 - (i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability and severability of interest clause; and,
 - (ii) That insurance, in the amount of \$2 million dollars Comprehensive general Liability Insurance or Commercial General Liability Insurance be provided; and,
 - (iii) That Black Powder regulations as laid out by Parks Canada for use of artillery be adhered to; and,
 - (iv) That the area where the cannons are being staged be roped off in order to keep the public away from the firing area; and,
 - (v) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the organizer's expense; and,
 - (vi) That the Ships Company assume responsibility for all labour-related costs as a result of this event including setup and cleanup; and,
 - (vii) That the event be monitored by the Special Events (Festival Advisory Team); and,
 - (viii) That the Director of Culture and Recreation be given permission to apply for a Special Occasion Permit for the purpose of serving wine for 75-80 invited guests in the now-restored public program areas of the Castle (Billiard Room and Bowling Alley).

6. That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, be given to the Comunita Racalmutese Maria S.S. Del Monte to hold a Fireworks Display on Bayfront Park on 1996 June 23, subject to the following terms and conditions:
 - (a) That Racalmutese Maria S.S. Del Monte Ontario Inc. use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1996 June 23; and,
 - (c) That Racalmutese Maria S.S. Del Monte Ontario Inc. comply with all sections of By-law No. 90-198; and,
 - (d) That the Racalmutese Maria S.S. Del Monte Ontario Inc. agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
7. That approval, as required by Section 11, Parks By-law No. 95-126, be given to the organizations as follows:
 - (a) Hamilton Touch Football Association - 1996 June 1 and June 2 - Mohawk Sports Park; and,
 - (b) Hamilton Press Club - 1996 June 8 and June 9 - Globe Park

to sell alcoholic beverages in those locations and on the dates specified, subject to the following terms and conditions:

- (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
- (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (iii) That alcoholic beverages be served in a confined and fenced area of the Park; and,

- (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
- (v) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (vi) That the Concessionaire at Globe Park (if applicable) be contacted to make the necessary arrangements for the provision of food at that location; and,
- (vii) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

8. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 be given to the Hamilton and District Labour Council to host the annual Labour Day Parade/Picnic in Dundurn Park Pavilion on 1996 September 2, 8:00 o'clock a.m. to 11:00 o'clock p.m. subject to the following terms and conditions:

- (a) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
- (b) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
- (c) That all requirements as identified by the Liquor License Board of Ontario are met; and,

- (d) That alcoholic beverages be served in a confined area (beer and wine only); and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

- (e) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (f) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
 - (g) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (h) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (i) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
 - (j) That the Public Works Department's Street Vendors Program at Dundurn Park be allowed to remain open throughout the events; and,
 - (k) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
9. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 be given to the Hamilton Folk Arts Heritage Council to host the annual It's Your Festival in Gage Park on 1996 June 27, 6 o'clock p.m. to 11 o'clock p.m. and 1996 June 28 to July 1, 12:00 o'clock noon to 11:00 o'clock p.m., subject to the following terms and conditions:

- (a) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,
- (b) That insurance, in the amount of \$3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury and \$5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,
- (c) That all requirements as identified by the Liquor License Board of Ontario are met; and,
- (d) That alcoholic beverages be served in a confined area (beer and wine only), with a maximum seating of 100 persons; and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -14

NAYS: Alderman Jackson. -1.

CARRIED.

- (e) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
- (f) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
- (g) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (h) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (i) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,
- (j) That the Public Works and Traffic Department's Street Vendors Program at Gage Park be allowed to remain open throughout the events; and,

- (k) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
-
- 10.
 - (a) That the proposed increases attached hereto as Appendix "A" for Special Events permit fees in parks be approved and implemented for the 1996 Special Event/Festival Season, thereby generating an additional \$3,000. in revenues; and,
 - (b) That the 1996 current budget of the Culture and Recreation Department be adjusted accordingly; and,
 - (c) That public meetings with festival/event organizers be scheduled over the summer and fall months to establish a long term User Fee Policy for Festivals/Special Events.
 - 11.
 - (a) That the proposed adjustments to the fee schedule for the Recreational Tennis Program attached hereto as Appendix "B", be approved for the 1996 Playing Season, thereby generating an additional \$1,000. in revenues; and,
 - (b) That the 1996 current budget of the Culture and Recreation Department be adjusted accordingly.
 - 12.
 - (a) That staff be authorized to issue a purchase order to R.F. Lintack Architect Incorporated, for a total amount of \$78,810. plus applicable GST for the design, contract document preparation and construction administration of the barrier free design modifications of recreational facilities listed in Appendix "C"; and,
 - (b) That the amount of the purchase order be proportionately, to the construction cost estimate, charged to the following Accounts: CF 329341009, CF 329441016, CF 809453003, CF 809453004, CF 809453005; and,
 - (c) That staff be authorized, based on priority of use, to modify the scope of work and construction cost estimates for King's Forest Golf Course Clubhouse, Ivor Wynne Stadium, Brian Timmis Stadium and Chedoke Golf Course Clubhouse, in order to include Coronation Arena, Eastwood Arena and East Kiwanis Boys and Girls Club in the scope of work without increasing the overall budget allocation; and,

- (d) That staff be authorized to advertise for Tender Call in the Hamilton Spectator once the construction documents are completed and approved by Citizen and Staff Committee Barrier Free Design Sub-Committee.
- 13.
- (a) That a purchase order be issued to M & M Painting and Sandblasting Cayuga, Ontario in the amount of \$58,800. plus applicable taxes for the cleaning and painting, of structural steel and light standards, and brush-blasting of precast underbelly, being the only acceptable bid received in accordance with specifications received by the Purchasing Division; and,
 - (b) That the work be financed from Renovations and Repairs - Ivor Wynne Stadium, Account No. CF5200 709654018.
- 14.
- (a) That the City's lease to the Region, which expired on 1995 August 31, of the City owned former Red Hill Creek School building, for use as a day care centre, be renewed; and,
 - (b) That the lease be renewed on the following terms and conditions:
 - (i) Term - five years, from 1996 May 1 to 2001 April 30; and,
 - (ii) Rent - \$9,000. per year, in monthly installments of \$750. plus realty taxes, if any, rent to be to be credited to Account No. CH44104 31106 (Civic Properties Rented); and,
 - (iii) Tenant to pay all operating costs of the building, including cost of operating it as a day care centre, all repairs and maintenance including, but not limited to repairs to the major structural components of the building such as the outer walls, roof, main electrical service and heating plant; and,
 - (iv) Alterations or additions to the building are subject to approval of the Director of Property and will become the property of the City at the expiry of the lease; and,
 - (c) That the lease renewal be in a form satisfactory to the City Solicitor; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

15. That a purchase order be issued to Arrowhead Paving Ltd. in the amount of \$149,826.87, including all taxes and contingency, for the supply and installation of concrete and asphalt at various parks within the City, being the lowest of five (5) tenders received in accordance with specifications C15-6-96 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from the Park Development & Redevelopment - 1996 Account No. CF5255 629654021.
16.
 - (a) That The Head-of-the-Lake Historical Society and The Fountain Foundation be authorized to proceed at their cost with construction of the Gore Park Fountain; and,
 - (b) That approval be conditional and subject to The Head-of-the-Lake Historical Society submitting:
 - (i) complete construction schedule including time line and scope of work; and,
 - (ii) a list of qualified contractors in agreement with the scope and time line of project; and,
 - (iii) complete construction drawings with the City having final approval authority on the drawings; and,
 - (c) That The Head-of-the-Lake Historical Society shall have public liability insurance in the amount of \$3 million naming the City as co-insured for the duration of the construction project; and,
 - (d) That the Department of Public Works and Traffic and the Law Department be authorized to prepare any contracts and legal agreements with The Head-of-the-Lake Historical Society as required to facilitate the construction of the fountain; and,
 - (e) That the Mayor and City Clerk be authorized to sign such agreements for the City.
17. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to Sheridan College or its designate for the purpose of serving wine for approximately 150-200 invited guests at No. 22 Veevers Drive on the evening of 1996 May 9th for the staging of their Showcase House '96 production.

18. (a) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement between 744424 Ontario Limited (Tony Leontis) and The Corporation of the City of Hamilton, for the premises at Nos. 38-40 Centennial Parkway North, Hamilton, Units 3 and 4, for 3,700 square feet of space on the ground floor to be used for the Riverdale Outreach Recreation Program for Seniors and Youths, in a form satisfactory to the City Solicitor; and,
- (b) That the lease for the above space at Nos. 38-40 Centennial Parkway North contain the following terms and conditions which will form part of the lease agreement:
- (i) Premises: 3,700 square feet of rentable area being Units 3 and 4 on the ground floor, as shown on the attached plan; and,
 - (ii) Use: Riverdale Outreach Recreational Program; and,
 - (iii) Term: Three (3) years commencing 1996 June 1 or 30 days after the tenant improvements are completed by the Landlord terminating on 1999 May 31 or as adjusted by the commencement date. The Lessee (City) has the option to renew the lease for a further two year period with rental terms to be negotiated six months prior to the termination of the initial term; and,
 - (iv) Basic Rent: \$10. per square foot (Modified Gross) (\$37,000. per annum - \$3,083.33 per month) plus heat and hydro; and,
 - (v) Landlord's Work: The Landlord will construct at its own costs tenant improvements in accordance with the tenant's specifications and the Building Code requirements. The lease will not be executed until such time as the specifications and separate construction agreement is agreed to and executed by both parties. The following is a description of said tenant improvements:
 - (aa) In Unit 3, the following shall be constructed by the Landlord:

- (i) Existing washroom will be reconstructed to the City's Barrier Free standards (3.4) which standards have been provided to the owner's agent; and,
 - (ii) The area to the rear of the premises will be constructed into a kitchen area with the walls and ceiling painted, cupboards and counter area with sink connected to water and drain, electrical outlets installed with wiring for a stove unit; and,
 - (iii) The rear area west of the Proposed Kitchen will have the ceiling finished with T-Bar acoustic panels with appropriate lighting; and,
 - (iv) The wall between Unit 3 and Unit 4 will be opened into the kitchen area and a locking fire rated door will be installed; and,
- (bb) In Unit 4, the following shall be constructed by the Landlord:
- (i) Existing washroom will be reconstructed to the City's Barrier Free standard (3.4); and,
 - (ii) The rear storage area will be separated from the washroom area by a wall and door which must lock; and,
 - (iii) In the front area three offices and a meeting room will be built from floor to ceiling which will include locking doors with side glass panels and at least two electrical outlets in each room; and,
 - (iv) the electrical service for these units will be served by a separate hydro meter. All work to be completed in a good workmanlike manner; and,

- (vi) Front Signage: The Landlord will permit the Lessee to install a sign at the front of the leased premises; and,
- (vii) Parking: The Landlord will provide three (3) dedicated parking spaces in the front parking area and four (4) at the rear of the building; and,
- (viii) Sublet: The Tenant shall not assign or sublet all or any part of the Premises without the prior written consent of the Landlord which shall not be unreasonably withheld or delayed.
- (ix) Annual Debt Limit: The Landlord shall agree that the Lease and the Tenant's obligations hereunder shall be subject to compliance with the requirements of Ontario Regulation 710/92 or, in the alternative, the provisions of Section 65 of the Ontario Municipal Board Act such that the Lease and the Tenant's obligations shall not be rendered effective unless the Tenant's rental and other financial obligations hereunder satisfy the annual debt repayment limit of the Tenant as set by the Ministry of Municipal Affairs, or the approval of the Ontario Municipal Board has been first obtained authorizing this lease and the Tenant's obligations hereunder, failing which the Lease shall be rendered null and void.

19. (a) That, to accommodate the Dundurn Aviary, the City lease from the Royal Botanical Gardens, a building and its 7 acres or adjacent property which fronts on Oak Knoll Drive, (the former RBG Teaching Gardens); and,

- (b) That the said Lease be approved on the following terms and conditions:
 - (i) Term, five (5) years from 1996 June 1 to 2001 May 31; and,
 - (ii) Rent, \$1. per year plus realty taxes, if any, to be charged to Account No. CH56398 62110; and,
 - (iii) Building shall only be used for the Dundurn Aviary; and,
 - (iv) City is responsible for all operating costs, including all charges for heating fuel, electricity, water and sewer charges, realty taxes, (if any), maintenance of the leased premises including grass cutting and snow removal; and,
 - (v) Royal Botanical Gardens is responsible for repairs to major structural components of the building, including but not limited to its outer walls, the roof, main electrical service and heating plant; and,
 - (vi) City's renovations/improvements to the building are subject to RBG's prior approval, such approval not to be unreasonably withheld; and,
 - (vii) City is permitted to continue with the existing Community Garden Plot program, with the funds derived from this public use to be credited against operating costs for the property; and,
 - (viii) Lease may be terminated on six (6) month notice by either party; and,
 - (ix) City may renew lease for a further term provided rent and renewal term are mutually agreed upon six (6) months prior to the expiry of the subject lease; and,
 - (c) That as contemplated in the recommended lease with RBG, The Commissioner of Public Works and Traffic be authorized to rent out garden plots to the public as part of the allotment garden program previously established by the RBG; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the said Lease in a form satisfactory to the City Solicitor.
20. (a) That the Director of Culture and Recreation be authorized to negotiate revised three year contracts with the Chedoke and Kings Forest Golf Pro's satisfactory to the City Solicitor; and,

- (b) That a review of the City Golf Course operations, including audited statements be presented to the Parks and Recreation Committee by the end of each calendar year; and,
 - (c) That the Director of Culture and Recreation report back on options of filling the vacant position of Co-ordinator of Golf Operations.
- 21.
- (a) That the request of Carmens Off-Premise Catering Ltd. to continue to renegotiate their contract with the City for the provision of food services at Kings Forest Golf Club be approved; and,
 - (b) That the Chief Administrative Officer and Director of Property be directed to report back to the Parks and Recreation Committee on the negotiations in one months time.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 April 16

Appendix "A" as referred to
in Section 10 of the Sixth Report
of the Parks and Recreation
Committee for 1996

**1995 SPECIAL EVENT
PERMIT FEES (including GST)**
(all rates are per day)

Category 1 – all parks	
Festivals – two days or more	\$125.00

Category 2 – all parks	
Community Events – one day	\$25.00
Gage Park Bandshell	
weekdays	\$47.25
weekends	\$52.50
Dundum Park Pavilion	
weekdays	\$31.50
weekends	\$36.75
Open Space – permitted	\$15.00

Wedding Photos	
– all parks	\$15.00

**PROPOSED 1996 SPECIAL EVENT
PERMIT FEES (including GST)**
(all rates are per day)

Major Community Event/Festival <i>(over 100,000 attendance)</i>	
Gage Park – with bandshell	\$200.00
Gage Park – without bandshell	\$175.00
Bayfront Park	\$250.00
Pier 4 Park	\$140.00
Gore Park	\$125.00
Dundum Park – with pavilion	N/A
Dundum Park – without pavilion	N/A

Community Non-Profit Event & Private Rental	
Gage Park – with bandshell	\$75.00
Gage Park – without bandshell	\$50.00
Bayfront Park	\$75.00
Pier 4 Park	\$75.00
Gore Park	\$50.00
Dundum Park – with pavilion	\$75.00
Dundum Park – without pavilion	\$50.00

Wedding Photos	
all parks	\$50.00

New Fees for 1996

- \$100 non-refundable
liquor processing fee
- permit fees for events longer
than four (4) days are negotiable
- permit fees for profit companies
are negotiable

Appendix "B" (page 1) as referred to in Section 11 of the Sixth Report of the Parks and Recreation Committee for 1996

TENNIS PROGRAM FEES 1996

(A) Introduction

The Tennis Program has expanded its delivery of services in recent years with the addition of pre-season lessons and private lessons. Now, however, a change is needed in the way the service is being marketed to the public.

(B) Tennis Program - Summer Lesson Fees

- (i) Group Lesson 1995 Proposed Group Lesson 1996
 8 classes - \$12.00 7 classes - \$20.00

* The above fee change for children's group lessons would reflect the additional cost of adding a tennis handbook and T-shirts to the program. T-shirts will be an important component in marketing these lessons and expanding our registration.

- (ii) Adult Group Lesson '95 Proposed Group Lessons '96
 6 classes - \$25.00 6 classes - \$30.00

* The above change in adult group rates maintains a price differential with the children's program and more accurately reflects the cost of program delivery.

- (iii) Pre-season Lessons '95 Proposed Pre-season Clinics '96
 7 lessons - \$12.00 4 clinics - \$12.00 (youth program)
 5 lessons - \$25.00 4 clinics - \$25.00 (adult program)

* Offering specific skill clinics to replace pre-season lessons and boost enrolment.

(C) Summer Tennis Tournaments - Fees and Structure

The present structure has seen a decline in participation and the following changes are recommended. To enhance marketing we are proposing to name our summer tennis tournaments the "Summer Slam Tennis Tour". The Tour would consist of 5 recreational tournaments with participants coming from our lessons and club programs as in the past. Corporate sponsors would be invited to attach their name to an event in exchange for prizes.

- | | |
|---------------------|------------------------------------|
| Tournament Fees '95 | Proposed Tournament Fees '96 |
| \$4.00 /event | \$5.00 /event or \$20.00 /5 events |

Appendix "B" (page 2) as referred to in Section 11 of the Sixth Report of the Parks and Recreation Committee for 1996

(D) Membership and Court Fees

Fees	1995	Proposed Fees 1996
Family	\$52	\$50
Adult	\$27	\$30
Inter.	\$19	\$20
Junior	\$14	\$15
Senior	\$7	\$10
Guest	\$3.50	\$3 (adult) \$2 (youth)

* Proposed membership and court fee changes are designed to aid court monitors in fee collection, very often they run out of change on the courts and this results in a loss of revenue. Guest fee changes are designed to parallel adult and youth fees charged at recreation centres for facility use.

(E) Summary

The proposed Tennis Program changes will give tennis an opportunity for more visibility in the community, which will hopefully result in more participation. Membership and guest fee changes will ease fee collection at the courts and should generate increased revenue.

Appendix "C" as referred to in
Section 12 of the Sixth Report of
the Parks and Recreation Committee
for 1996

PROJECT LOCATION

FUNDING SOURCE

Barton Community Centre, Norman Pinky Lewis Swimming Pool	Capital Budget, 1993 Capital Budget, 1993
Churchill Recreation Centre	Capital budget, 1994
Eastmount Community Centre	Capital budget, 1994
Normanhurst Community Centre	Capital budget, 1994
Laurier Recreation Centre	Capital budget, 1994
Bennetto Recreation Centre	Infrastructure Program
Mountain Arena	Infrastructure Program
Hill Park Recreation Centre	Infrastructure Program
Dalewood Recreation Centre	Infrastructure Program
Chedoke Golf Course Clubhouse	Infrastructure Program
Brian Timmis Stadium	Infrastructure Program
Ivor Wynne Stadium	Infrastructure Program
Eastwood Arena*	Infrastructure Program
Coronation Arenas*	Infrastructure Program
East Kiwanis Recreation Centre*	Infrastructure Program

Details of proposed scope of work for the above noted facilities are available from Hoda Kayal at X4615.

Please Note That: Facilities marked with *, were not included in the original list submitted to the Canada Ontario Infrastructure programme as the facilities were in the Capital Budget of 1994 for major renovations.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to enter into a contract with Harm Schilthuis and Sons Limited of Ancaster, Ontario, as the General Contractor for the Barrier Free Design Modifications at Central Memorial Recreation Centre, Rosedale Arena, and King's Forest Golf Course. The contract amount will be Three Hundred and Sixteen Thousand (\$316,000.00) plus applicable GST to a total of Three Hundred and Thirty-Eight Thousand One Hundred and Twenty (\$338,120.00); and,
 - (b) That the work be financed from Barrier Free Access-Recreation Buildings, CF 329341009, CF 329441016, and Canada Ontario Infrastructure Programme, Barrier Free Access-City Buildings CF 809453005.
 - (c) That staff be authorized to carry a project contingency of \$21,880 (includes GST) to be spent for unforeseen circumstances, authorized by the Director of the Culture and Recreation Department.
 - (d) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant; and,
 - (e) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
2. (a) That approval be given to enter into a contract with Aluma Systems Canada Inc. of Stoney Creek, Ontario, at a cost not to exceed \$441,000. plus applicable taxes, for the design, supply and installation of 14,000 temporary bleachers for the 1996 Grey Cup game at Ivor Wynne Stadium 1996 November 24, being the only acceptable bid received in accordance with specifications issued by the Purchasing Division; and,

- (b) That the work be financed from the Infrastructure Works Program - Improvements to Ivor Wynne Stadium, Account No CF 809453007; and,
 - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Aluma Systems Canada Inc.; and,
 - (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
3. (a) That the contract between Carmen's Off-Premise Catering Ltd. and the City of Hamilton for the provision of food services at King's Forest Golf Club be amended to reflect the following new terms and conditions:
- (i) The "golf season" at King's Forest Golf Course, during which the operator shall occupy and operate the food and drink concession for the City, shall mean that period commencing on April 15th during each year of the currency of the agreement and continuing up to and including the 1st day of November in each year of the currency of the agreement, for a total of 6 1/2 months, and the basic rent paid by Carmen's in all years of the currency of this agreement shall be based on a 6 1/2 month "golf season"; and,
 - (ii) Carmen's will continue to be solely responsible for the full and timely payment of the whole year business and the whole year realty taxes attributable to their operation of and space occupied in the Clubhouse, the said taxes to apply to all years of the currency of this agreement; and,
 - (iii) The City shall be solely responsible for the cleaning of the locker rooms and central stairwell of the Clubhouse building, and Carmen's and the City shall be mutually responsible for cleaning the washrooms, entrance way and vestibule of the Clubhouse building, and Carmen's shall not be charged any additional sum for the City providing its share of the cleaning services. Carmen's will continue to be solely responsible for cleaning its exclusive areas (i.e. kitchen, dining room and banquet areas); and,

- (iv) Carmen's will be entitled to use either of the two banquet rooms at King's Forest Clubhouse during the off-season between November 1st and April 15th of any year during the term of the contract, free of charge for the first 4 occasions per off-season term. If the banquet rooms are utilized over and above the initial 4 times per off-season term, Carmen's will pay the City the sum of \$150 for a Saturday usage and \$100 for any other day of the week. The Operator will be responsible for its utility costs as recorded on its separate meters; and,
- (v) The basic monthly rent to be paid by Carmen's to the City for the 6 1/2 month "golf season" shall be \$500 per month when the gross sales realized from the concession falls between \$0 and \$200,000; and,

In the event the gross sales realized by Carmen's falls between \$200,000 and \$225,000, the monthly rental during the "golf season" will increase to \$750 per month; and,

In the event the gross sales realized by Carmen's falls between \$225,000 and \$275,000, the monthly rental during the "golf season" will increase to \$1,000 per month; and,

In the event the gross sales realized by Carmen's exceeds \$275,000, the monthly rental during the "golf-season" will increase to \$1,500 per month; and,

The annual gross sales realized by Carmen's will be those sales realized during each annual term of the contract with the City commencing 1996 April 15. the sales shall be verified by an independent accounting firm of Carmen's, at its expense, by May 30 of each year, following which any adjustment in rent will be made upward or downward and become due and payable by either party to the other within 10 days following the said May 30 date; and,

- (b) That all arrears of Carmen's with respect to this contract, namely basic rent, taxes and utilities, be adjusted if necessary to reflect the amended terms of the Agreement as recited above, and paid forthwith; and,
- (c) All other terms and conditions shall remain the same; and,

- (d) That upon payment in full to the City of all arrears owed by Carmen's, the Mayor and the Clerk be authorized and directed to execute on behalf of the City, an Agreement with Carmen's Off Premise Catering Ltd., provided that the latter executes the Agreement satisfactory to the City Solicitor, within 10 days after receiving same.
- 4. That, notwithstanding Section 26 of the Eighteenth Report of the Finance and Administration Committee for 1992 as adopted by City Council at its meeting held 1992 September 29, respecting, in part, the advertising and holding of Orientation Sessions to fill vacancies on City Committees, Local Boards and Commissions, Barbara Brooks be appointed to serve on the New Mum Show Sub-Committee for a term to expire 1997 November 30 to fill the vacancy created by the resignation of Terry Tobin.
- 5. (a) That the Chairman of the Parks and Recreation Committee or his designate be authorized to attend the Annual Global Super Projects Conference and Exhibition to take place in San Francisco, California, from June 23 - 26, 1996; and,
(b) That costs for attendance be charged to Aldermen Travel Account No. CH55201 10010 from the 1996 Operating Budget.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Tina Agnello
Acting Secretary
1996 April 30**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Zoning Application 95-21, Micor Developments Inc., prospective owner, requesting a further modification to the established "DE" (Low Density Multiple Dwellings) District, for property located at south-west corner of Chedmac Drive and Rice Avenue, shown as Block "2" on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to Block "2" of the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Block "2" until the applicant has completed a noise study, and any required works, to the satisfaction of the Ministry of Environment and Energy.
City Council may remove the 'H' symbol, and thereby give effect to the "DE" District, modified, provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled;
 - (ii) That Blocks "1" & "2" of the subject lands be zoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
 - (iii) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of By-law No. 6593, applicable to Blocks "1" & "2", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10A(1) of Zoning By-law No. 6593, a maximum of forty-one (41) townhouse units shall be permitted on Block "1", and a maximum of forty (40) townhouse units shall be permitted on Block "2", subject to the "RT-20" (Townhouse - Maisonette) District provisions of Section 10E;
 - (2) That notwithstanding Section 10E(3) of Zoning By-law No. 6593, no building or structure shall exceed one and a half (1-1/2) storeys and 9.5 m (31.16 feet) in height on Blocks "1" & "2";

- (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1357, and that the subject lands on Zoning District Map W-37 be notated S-1357;
 - (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 for presentation to City Council;
 - (vi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (vii) That the Approved Mountview Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Attached Housing" upon finalization of the implementing By-law.
- (b) That By-law No. 91-207, applicable to the subject lands, be repealed in its entirety.
2. (a) That approval be given to Zoning Application 95-06, 603976 Ontario Inc. (Terra Homes), owner, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to allow for the development of the subject lands for single detached dwellings through plan of subdivision, for lands located in the area east of Upper James Street and north of Chipman Avenue, as shown on the attached map marked as APPENDIX "B";
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593, as amended by By-Law No. 90-351, for presentation to City Council.
3. (a) That a purchase order be issued to O. Ciccarelli & Sons Contracting Ltd. in the amount of \$90,050.37 including all taxes and contingency, for the landscape construction of Barton Street and West Avenue School, being the lowest of three tenders received in accordance with specifications C15-7-96 issued by the Purchasing Division and the Vendor's Tender, and that this expenditure be financed from the Barton Street Revitalization Program Account N. CH24107 0001; and,
- (b) That approval be given for the actions of the Chief Administrative Officer for authorizing the initiation of the revitalization work recognizing that this work is to be completed by 1996 May 31, and therefore the above have been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and fifty dollars (1,350) be approved for Lisa Blawatt, 37 Burlington Street East. The interest rate will be 8 per cent amortized over 5 years.
5. (a) (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to Minh Vu and Thuan Dang for improvements to 328 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
(ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program, and;
(b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to Minh Vu and Thuan Dang for exterior storefront improvements to 328 Barton Street East be approved, subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/2 per cent, amortized over 10 years, and;
(ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand and five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
6. That the Chairman of the Committee of Adjustment or his nominee be authorized to attend the 1996 Annual Conference of the Ontario Association of Committees of Adjustment and Consent Authorities to be held for three days, 1996 June 2 - 5, in Barrie Ontario at an expense not to exceed \$880 to be charged to account CH 55201-10010, Legislative Travelling.
7. (a) That the request by Urbex Engineering Limited, agent, on behalf of 822827 Ontario Inc., owner, to extend draft plan approval for "Wisemount Estates" subdivision under Regional File No. 25T-83004 for a further five (5) year period to May 13, 2001, be approved.
(b) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.

8. That the recommendation regarding a draft plan and subdivision for lands located south of Rymal Road East and west of the proposed extension of Upper Sherman Avenue, as approved by the Planning and Development Committee on 1996 March 20, be approved as follows:
 - (a) That the Subdivision Agreement be entered into by the Corporation of the city of Hamilton and the owner to provide for compliance with the conditions of approval established by the regional Municipality of Hamilton-Wentworth with respect to this application (25T-94005(R)), Shermal Developments Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
 - (b) That the Chappel East Neighbourhood Plan be amended to change the internal road pattern and the realignment of Upper Sherman Avenue between Rymal Road East and the City limits upon finalization of the implementing By-law; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision regarding Subdivision Application 94-03.
9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-18 A By-law To Repeal B-law No. 88-250 To Adopt Official Plan Amendment No. 66 Respecting The Central Area Plan.
 - (b) C-19 A By-law To Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 832 Upper Wentworth Street.
 - (c) C-20 A By-law To Establish Site Plan Control Respecting Land Located at Municipal No. 832 Upper Wentworth Street.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 April 17**

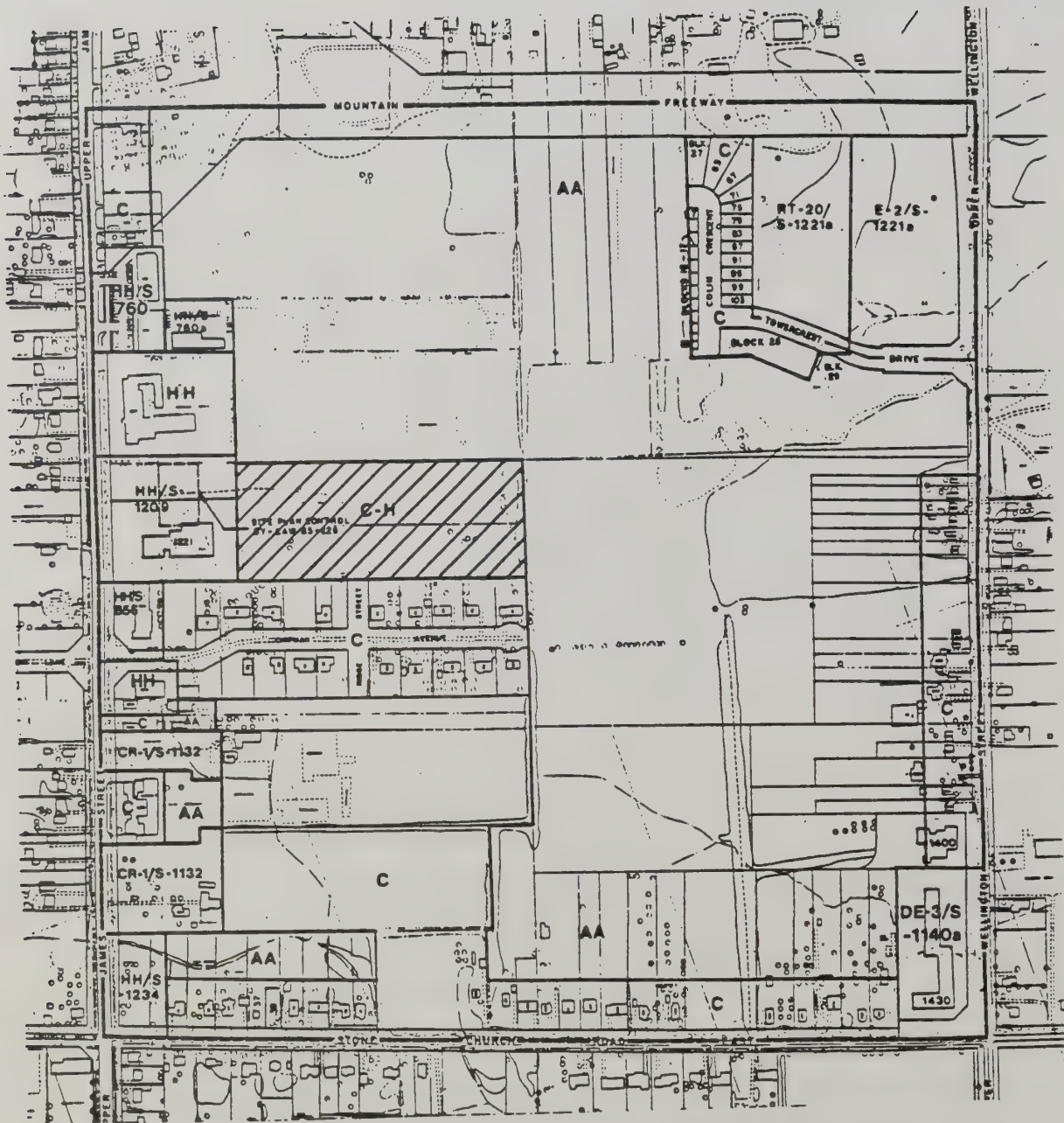


APPENDIX A

LEGEND:

Block "1" - From "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, Modified

Block "2" - From "AA" (Agricultural) District to "DE" - 'H' (Low Density Multiple Dwellings - Holding) District, Modified



Legend



Site of the Application



ZAR-95-06

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1996 and respectfully recommends:

1. That approval be given to the request of the Planning Department to use the 2nd Floor Lobby (West) from 1996 April 15 to 24 and from 1996 April 29 to May 10 for a display with regard to the Official Plan Review.
2. That the listing of Appointments to Permanent Positions with the Corporation of the City of Hamilton to 1996 April 3, attached herewith and marked Appendix "A", be approved.
3. That the 1996 Canadian Public Works Association Conference & Exposition from June 9 to 12 while in Hamilton have the use of:
 - (a) The printing facilities in City Hall to produce copies of the papers being presented for the delegates attending the Conference; and,
 - (b) The City's van and driver to accommodate small groups (6 to 10) of delegates to places of interest within Hamilton.
4.
 - (a) That City Hall and all non-essential municipal services that are not revenue generating, be closed on 1996 December 27, 30 and 31; and,
 - (b) That staff have the option of taking the three days as either vacation, lieu time, or unpaid leave or 6 days from their respective sick leave bank; and,
 - (c) That staff prepare an operational plan to provide for the maintenance of essential services for approval by Management Team; and,
 - (d) That the City Clerk be directed to appropriately advertise the closure.

5. That Section 8(f) of the Benefit Package for the Management Group approved by City Council on 1987 September 29, be amended to read as follows:

Levels A-K - It is recognized that the functions performed by positions in the A-K range are not only performed between 9 and 5 Monday to Friday. In recognition of this fact a week (5 working days) of time off **may** be granted to **an** employee in this group at the discretion of the employee's Department Head.

6. (a) That approval be given for the City Treasurer to receive payments from the Firan Corporation in the total amount of \$30,000, made payable in U.S. funds, as donations towards Hamilton's Sesquicentennial Celebrations; and,
- (b) That the City Treasurer be authorized to grant these contributions received to Hamilton Sesquicentennial Celebrations Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Alderman Wilson. -1.

CARRIED.

7. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-25 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 April 16**

Appendix "A" referred
to in Section 2 of the
EIGHTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Andrea McDonald	I	Gardener II (D14)	Public Works	Replacing Mr. R. Manual — promoted April 17/95	\$36,052.64	March 18/96

Prepared April 3, 1996

Status
Internal -- I
External -- E

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1996 and respectfully recommends:

1. (a) That the 1996 Mill Rates for the City of Hamilton be approved, and that the Mill Rates for the Region and Boards of Education be received to be included for billing purposes as detailed on Exhibit "A", Column (6), attached herewith and marked Appendix "A"; and,

(b) That the by-laws to fix the Rates of Taxation for Municipal, Regional, School, and Total Rates of Taxation for the year 1996 be approved; and,

(c) That the by-law to Levy an Annual Tax on Telephone Companies doing Business in Ontario be approved.
2. (a) That a purchase order be issued to Turf Care Products Canada, Ltd. Newmarket, in the amount of \$97,522.27, including trade-in and all applicable taxes, for the replacement of various lawn maintenance equipment units #0054, 0055, 0077, 9440 and 9065 for Fleet Services, being the lowest total acquisition cost of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account Numbers CH5X503 00101, CH5X505 00101; and,

(b) That the above be processed through the emergency procedures of the City of Hamilton Purchasing Policy.
3. That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington, in the amount of \$173,017.46, including volume order discount and all applicable taxes, for the replacement of eight (8) 72" Rotary Mowers, two (2) 60" Rotary Mowers and one (1) Riding Aerator units #0506, 0049, 0305, 0085, 0086, 0093, 0094, 0095, 0096, 0104 and 0105 for Fleet Services, being the lowest total acquisition cost meeting specifications of five tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101 and CH5X506 00101.

4. That a purchase order be issued to Ontario Turf Equipment Co. Ltd., London, in the amount of \$68,137.50, including all applicable taxes, for the replacement of three (3) Triplex Mowers units #0052, 0110 and 0304 for Fleet Services, being the lowest total acquisition cost of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101 and CH5X506 00101.
5. That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington, in the amount of \$240,349.96, including volume order discount and all applicable taxes, for the replacement of eight (8) Turf Trucksters, two (2) 9'8" Rotary Mowers and one (1) Electric Triplex mower units #0071, 0090, 0103, 9441, 9442, 9443, 9444, 9445, 9447, 9454 and 9767 for Fleet Services, being the lowest total acquisition cost of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101 and CH5X506 00101.
6. (a) That a manual, Mezzanine Curtaining System, which is designed to allow for upgrading to a Motorized System, be installed in 1996 at Copps Coliseum at a cost not to exceed \$200,000; and,
(b) That this expenditure be financed from H.E.C.F.I.'s Reserve Fund for Capital Projects, Account CH 00206; and,
(c) That the above-noted revision to the Capital Budget Programme be approved.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

7. That the 1996 Levy By-laws for the seven Business Improvement Areas in the City of Hamilton be approved in the amounts as follows:

<u>Business Improvement Areas</u>	<u>1996 Levy</u>
Barton General	\$ 6,000
Westdale	35,000
International Village	54,000
Ottawa Street North	59,780
Concession Street	10,100
Downtown Promenade	84,000
Main Street West	3,000

8. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-26 A By-law to Fix the Rates of Taxation for Municipal Purposes for the Year 1996.
- (b) D-27 A By-law to Fix the Rates of Taxation for Regional Purposes for the Year 1996.
- (c) D-28 A By-law to Fix the Rates of Taxation for School Purposes for the Year 1996.
- (d) D-29 A By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1996.
- (e) D-30 A By-law to Levy an Annual Tax on Telephone Companies doing Business in Ontario respecting The Bell Telephone Company of Canada.
- (f) D-31 A By-law on the Downtown Hamilton Business Improvement Area to Levy the Special Charges for 1996 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151.

- (g) D-32 A By-law to Authorize the Levy of a Special Charge in Respect of the Main Street West Esplanade Business Improvement Area generally comprised of lands on the East and West Sides of Main Street West between Locke Street on the West and Queen Street on the East.
- (h) D-33 A By-law to Authorize the Levy of a Special Charge in Respect of the International Village Business Improvement Area generally covering both sides of King Street East between Mary Street and Wellington Street North.
- (i) D-34 A By-law to Authorize the Levy of a Special Charge in Respect of Barton Street East #1 Business Improvement Area generally covering both sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.
- (j) D-35 A By-law to Authorize the Levy of a Special Charge in Respect of the Concession Street Business Improvement Area generally comprised of Lands covering Concession Street between East 18th Street and East 25th Street.
- (k) D-36 A By-law to Authorize the Levy of a Special Charge in Respect of the Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an area North of Barton Street East.
- (l) D-37 A By-law to Authorize the Levy of a Special Charge in Respect of the Westdale Village Business Improvement Area generally covering King Street West and the area of the intersection of Cline Avenue and King Street West and extending to an area West of Newton Avenue and Sterling Street.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 April 30**

City of Hamilton
Treasury

EXHIBIT "A"

**COMPARISON OF COMPONENTS AND TOTAL MILL RATES
FOR THE YEARS 1992 TO 1996 INCLUSIVE**

Description (1)	1992 (2)	1993 (3)	1994 (4)	1995 (5)	1996 (6)	Increase + Decrease - 1995 to 1996	
						Mills (7)	% (8)
Residential							
City	102.5572	104.2203	104.2203	105.1413	105.1413	0.0000	0.00
Region	103.5133	107.0004	106.9719	110.1432	111.3252	1.1820	1.07
Sub Total	206.0705	211.2207	211.1922	215.2845	216.4665	1.1820	0.55
Education - Elementary	116.9462	117.3363	113.1485	120.0501	120.5303	0.4802	0.40
- Secondary	69.1713	72.8626	77.0493	77.3765	83.1289	5.7524	7.43
Sub Total	186.1175	190.1989	190.1978	197.4266	203.6592	6.2326	3.16
Total Mill Rates	392.1880	401.4196	401.3900	412.7111	420.1257	7.4146	1.80
Non-Residential							
City	120.6555	122.6121	122.6121	123.6957	123.6957	0.0000	0.00
Region	121.7803	125.8828	125.8493	129.5803	130.9709	1.3906	1.07
Sub Total	242.4358	248.4949	248.4614	253.2760	254.6666	1.3906	0.55
Education - Elementary	137.5838	138.0427	133.1159	141.2354	141.8004	0.5650	0.40
- Secondary	81.3780	85.7207	90.6462	91.0312	97.7987	6.7675	7.43
Sub Total	218.9618	223.7634	223.7621	232.2666	239.5991	7.3325	3.16
Total Mill Rates	461.3976	472.2583	472.2235	485.5426	494.2657	8.7231	1.80

Notes: The 1996 mill rates were calculated based on the 1995 unrevised assessment for 1996 taxation.

URBAN/MUNICIPAL
CAY ON HBL A05
M21
1996

CLERK'S OFFICE

MEMORANDUM

URBAN MUNICIPAL

MAY 23 1996

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

GOVERNMENT DOCUMENTS

FROM: Mr. J. J. Schatz
City Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MEETING

DATE: 1996 May 16

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held May 14, 1996.

Please undertake to carry out the directions of City Council.

JJS/dg
att.

Minutes of Hamilton City Council
Tuesday, 1996 May 14
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Major Garnett Cassell, Salvation Army Family Services led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 April 30 were adopted as circulated.

PRESENTATIONS

Rick Campanella of the City of Hamilton Civic Employees Charity Committee presented a cheque to the United Way. In attendance from the United Way were John Fitzpatrick, 1996 Campaign Chairman of the United Way and Barry English, Interim Chief Executive Officer and in attendance from the Hamilton Civic Employees Charity Committee were Gail Hampson, Information Systems Department and Christina McManus, Parking Authority.

* * * * *

John Fitzpatrick, 1996 Campaign Chairman of the United Way presented a Bronze Award to the Hamilton Civic Employees Charity Fund.

* * * * *

Mayor R. Morrow introduced Ryan Paquette and Irene Stayshyn, Co-Chairs for the Shawinigan, Quebec Sesquicentennial Project. The Co-Chairs outlined this project where 150 families from Shawinigan will be visiting Hamilton host families on June 29th to July 1 to celebrate Hamilton's Sesquicentennial Birthday Celebration.

CORRESPONDENCE

1. Letter dated 1996 May 7 from R. Scott Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting the Financial Statements of the Hamilton Harbour Commissioners for the year ended December 31, 1995.

Received.

2. Letter dated 1996 May 10 from Mr. Ronald Barr, Executive Director, Community and Government Relations, Gould Outdoor Advertising respecting the Third Party Sign By-law which is being considered in the Planning and Development Committee Report.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT

Section 3 Re: Removal of Trees - 1445 Main Street West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross -16.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 19 Re: Hamilton Street Railway - Bus Stop

It was moved by Alderman Kiss and seconded by Alderman Merling that Section 19 of the Seventh Report of the Transport and Environment Committee be amended by adding the following after the word "installed" in the second line of subsection (a) "on a trial basis:". **CARRIED.**

* * * * *

Section 29 Re: Rule No. 9 - One Time Limit Exemption Permit - 81-83 Gibson Avenue

It was moved by Alderman Merling and seconded by Alderman Agro that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the One Time Limit Exemption Permit to each dwelling unit of the Apartment Building at 81-83 Gibson Avenue. **CARRIED.**

* * * * *

Section 29 Re: One Time Limit Exemption Permit - 81-83 Gibson Avenue

It was moved by Alderman Merling and seconded by Alderman Drury that the following be added as Section 29 of the Seventh Report of the Transport and Environment Committee for 1996:

29. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, one time limit exemption permit to each dwelling unit of the apartment building at 81-83 Gibson Avenue and any additional permits (to a maximum of 15) on a first-come first-served basis. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - EIGHTH REPORT

Section 1 Re: Appendix "B" - 11-23 Courtland Avenue

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 1 of the Eighth Report of the Planning and Development Committee be amended by deleting Appendix "B" and replacing it with the following attached hereto. **CARRIED.**

* * * * *

Section 3 Re: City Initiative CI-96-D - Third Party/Billboard Signs

It was moved by Alderman Drury and seconded by Alderman Caplan that Section 3 of the Eighth Report of the Planning and Development Committee be amended by adding the following as Section (c):

- (c) that ongoing input from the public and the sign industry be sought by staff. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - TENTH REPORT

Section 20 Re: Copps Coliseum - 101 York Boulevard - The Society of Management Accountants of Canada

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 20 of the Tenth Report for 1996 of the Finance and Administration Committee be amended to insert the following words after the word Committee in the fourth line of sub-section (a):

"...respecting an amendment to the lease for part of Copps Coliseum, 101 York Boulevard, to The Society of Management Accountants of Canada,..."

CARRIED.

Section 24 Re: Street Vending location

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 24 of the Tenth Report of the Finance and Administration Committee respecting a Street Vending location be referred back. **CARRIED.**

* * * * *

Section 29 Re: Rule No. 9 - Health Action Task Force Report

It was moved by Alderman Merling and seconded by Alderman Charters that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting the Health Action Task Force Report. **CARRIED.**

* * * * *

Section 29 Re: Health Action Task Force Report

It was moved by Alderman Merling and seconded by Alderman Charters that the following be added as Section 29 of the Tenth Report for 1996 of the Finance and Administration Committee:

29. In light of the Health Action Task Force Report, and

Since the City and Region conditionally supported the CEO's Academic Health Care Network Report,

and

Further, in response to the concerns of Doctors on behalf of their patients in the East End, on the Mountain, in Stoney Creek and beyond the southerly limits of Hamilton,

THAT the CEO's position be amended to include that Henderson Hospital be maintained as an Acute Care Facility.

Recorded vote

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

* * * * *

Section 30 Re: Health Action Task Force

It was moved by Mayor Morrow and seconded by Alderman Morelli that the following be added as Section 30 of the Tenth Report of the Finance and Administration Committee:

30. That City Council seek standing before the Health Action Task Force on behalf of the citizens of the City of Hamilton. **CARRIED.**

RESOLUTIONS

Rule No. 9 - Resolution respecting "Family Style" Fireworks Display

It was moved by Alderman Caplan and seconded by Alderman Kiss that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the Family Style Fireworks Display - Kirkendall Recreation Association. **CARRIED.**

* * * * *

Resolution respecting "Family Style" Fireworks Display

It was moved by Alderman Caplan and seconded by Alderman Kiss that approval, as required by Part 2 Section 8 and Section 11 of the Fireworks By-law 90-198, be given to the Kirkendall Recreation Association and Hands Fireworks Inc. to hold a "Family Style" Fireworks Display on city property, known as Highland Gardens (Reservoir Park), located on Hillcrest and Mountain Avenue on 1996, May 20, subject to the following terms and conditions:

- (i) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton prior to the event.

- (ii) That the Kirkendall Recreation Association and Hands Fireworks Inc. agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.
- (iii) That the Kirkendall Recreation Association and Hands Fireworks Inc. comply with all sections of the Fireworks By-law 90-198."

CARRIED.

* * * * *

Re: Reconsideration of Grant - Ottawa Street Y.W.C.A. resolution

It was moved by Alderman Wilson and seconded by Alderman Copps that the following resolution considered and not adopted by the Committee of the Whole at its meeting held February 27, 1996 be reconsidered.

"That a grant in the amount of \$50,000 be made to the Ottawa Street Y.W.C.A. to cover increased program costs."

CARRIED.

* * * * *

Re: Consideration of Grant - Ottawa Street Y.W.C.A. - Referral

It was moved by Alderman Wilson and seconded by Alderman Copps that the following resolution considered and not adopted by the Committee of the Whole at its meeting held February 27, 1996 be referred to the Parks and Recreation Committee.

"That a grant in the amount of \$50,000 be made to the Ottawa Street Y.W.C.A. to cover increased program costs."

CARRIED.

NOTICE OF MOTION FROM PREVIOUS MEETING - APRIL 30, 1996

It was moved by Alderman Agro and seconded by Alderman McCulloch that:

WHEREAS the revitalization of Hamilton's Downtown Core is critical to the well being and prosperity of the entire region of Hamilton Wentworth; and,

WHEREAS "residential development" in the Downtown Core is fundamental to any improvement and revitalization of the Downtown; and,

WHEREAS, virtually every study and every opinion expressed on revitalizing the Downtown have clearly pointed to the lack of residential development in the Downtown as being at the very root of it's problems,

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton waive all residential development charges in the area bounded by Queen, Cannon, Victoria and Hunter Streets for a 3 year period.
- (b) That the Region of Hamilton-Wentworth be requested to review it's development charges respecting the application of residential charges in the Downtown Core, that area outlined in section (a) with the intent of imposing no development charges in this area.

* * * * *

Resolution respecting residential development

It was moved by Alderman D'Amico and seconded by Alderman Charters that the following be added as sub-section (c) to the motion respecting residential development in the downtown core:

- (c) That 5% land dedication, building permit fees and parking requirements for new residential developments be forwarded to the Finance and Administration Committee and the Planning and Development Committee for financial consideration of eliminating those fees as a catalyst for downtown redevelopment. **CARRIED.**

* * * * *

Resolution as amended.

It was moved by Alderman Agro and seconded by Alderman McCulloch that:

WHEREAS the revitalization of Hamilton's Downtown Core is critical to the well being and prosperity of the entire region of Hamilton Wentworth; and,

WHEREAS "residential development" in the Downtown Core is fundamental to any improvement and revitalization of the Downtown; and,

WHEREAS, virtually every study and every opinion expressed on revitalizing the Downtown have clearly pointed to the lack of residential development in the Downtown as being at the very root of it's problems,

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton waive all residential development charges in the area bounded by Queen, Cannon, Victoria and Hunter Streets for a 3 year period.
- (b) That the Region of Hamilton-Wentworth be requested to review it's development charges respecting the application of residential charges in the Downtown Core, that area outlined in section (a) with the intent of imposing no development charges in this area.
- (c) That 5% land dedication, building permit fees and parking requirements for new residential developments be forwarded to the Finance and Administration Committee and the Planning and Development Committee for financial consideration of eliminating those fees as a catalyst for downtown redevelopment. **CARRIED.**

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

1996 May 14

* * * * *

City Council then adjourned at 10:10 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 May 14
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. That the City of Hamilton approve the request of the Wentworth Condominium Corporation No. 79 to reduce the minimum walkway width requirement for the walkway connecting Fonthill Road and Upper Paradise Road from ten feet to six feet.
2.
 - (a) That the construction of a concrete sidewalk on the south side of Solidarnosc Place from St. Olga Street to Barnesdale Avenue North proceed as a local improvement pursuant to Section 12 of the Local Improvement Act; and,
 - (b) That the By-law prepared by the Commissioner of Public Works and Traffic be enacted; and,
 - (c) That the City's Share of \$16,803.17 be financed from the 1996 Capital Levy (Account Centre No. CH22002) and the Owner's Share in the amount of \$1,396.83 be financed by the issuance of debentures for a period not to exceed 20 years; and,
 - (d) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures for the Owner's Share in the amount of \$1,396.83 for a term not to exceed 20 years for the above project; and,
 - (e) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
3. That pursuant to the terms of the City Tree By-law No. 92-155, Section 7, Sub Section (2), approval be given to Imperial Oil Ltd. 1445 Main Street West, to remove two 8" diameter White Ash trees on the City road allowance at the above noted address using the City of Hamilton, Department of Public Works and Traffic, Streets Division, Forestry Section staff, subject to the developer paying all removal and replacement costs, that sum being \$1,850.00.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross -16.

NAYS: Alderman Kiss. -1.

CARRIED.

4.
 - (a) That the existing "Permit Parking" regulation on the east side of Park Street North commencing at Vine Street and extending to a point 170 feet south of Cannon Street West be revised such that the regulation commences 50 feet north of Vine Street and extends to a point 158 feet northerly therefrom; and
 - (b) That a "No Stopping" regulation be implemented on the east side of Park Street North commencing at Vine Street and extending to a point 50 feet northerly therefrom; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
5. That a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Catharine Street North between Cannon Street East and Robert Street and that the City Traffic By-law 89-72 be amended accordingly.
6.
 - (a) That a "No Parking" regulation be implemented on the north side of Elmwood Avenue, commencing at West 32nd Street and extending to a point 60 feet westerly therefrom; and
 - (b) That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of West 32nd Street commencing at Elmwood Avenue and extending to a point 116 feet northerly therefrom; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
7.
 - (a) That an "Alternate Side Parking" regulation be implemented on Graystone Drive between Glenvale Drive and Greyfriar Drive (west leg), such that parking is prohibited:

- i) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and
 - ii) on the east side of the street from the 16th to the last day of April, May June, July, August, September, October and November; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
8. That the existing "Permit Parking" regulation on the south side of Hillcrest Avenue, commencing at a point 165 feet west of the extended west curb line of Beulah Avenue and extending to a point 20 feet westerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
9. (a) That a "Permit Parking" regulation be implemented on the west side of William Street commencing at a point 28 feet south of Birge Street and extending to a point 18 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Kaiser Chimbo, 79 William Street.
10. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Landsdowne Avenue between Sherman Avenue North and Lottridge Street be revised such that the regulation commences at Sherman Avenue North and extends to a point 578 feet easterly therefrom; and
- (b) That a "No Stopping" regulation be implemented on the south side of Landsdowne Avenue commencing at a point 578 feet east of Sherman Avenue North and extending to a point 107 feet easterly therefrom; and
- (c) That a "No Stopping" regulation be implemented on the south side of Landsdowne Avenue commencing at a point 232 feet west of Lottridge Street and extending to a point 99 feet westerly therefrom; and
- (d) That a "No Stopping" regulation be implemented on the south side of Landsdowne Avenue commencing at Lottridge Street and extending to a point 58 feet westerly therefrom; and

- (e) That the City Traffic By-law 89-72 be amended accordingly.
11. That the existing "Wheelchair Loading Zone, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Tragina Avenue North commencing at a point 66 feet south of Vansitmart Avenue and extending to a point 23 feet southerly therefrom, be revised, such that the regulation is in effect from "9:00 a.m. to 10:00 p.m., Monday to Friday" and that the City Traffic By-law 89-72 be amended accordingly.
12. That a "No Parking" regulation be implemented on the north and east sides of Chedmac Drive commencing at Rice Avenue and extending to the northerly end of the street and that the City Traffic By-law 89-72 be amended accordingly.
13. That the existing "Permit Parking" regulation on the north side of Jackson Street East commencing at a point 201 feet east of Ferguson Avenue South and extending to a point 20 feet easterly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
14. (a) That the existing "Commercial Vehicle Loading Zone, 24 hours a day, 7 days a week" regulation on the south side of Hunter Street East commencing 208 feet east of James Street South and extending to a point 68 feet easterly therefrom be removed; and
- (b) That the existing "Taxi Stand, 24 hours a day, 7 days a week" regulation on the south side of Hunter Street East commencing 132 feet east of James Street South and extending to a point 75 feet easterly therefrom be relocated, such that the regulation commences 59 feet west of John Street South and extends to a point 81 feet westerly therefrom; and
- (c) That the existing "No Parking - Loading Zone, 24 hours a day, 7 days a week" regulation on the south side of Hunter Street East, commencing 65 feet west of John Street South and extending to a point 196 feet westerly therefrom be shortened, such that the regulation commences 140 feet west of John Street South and extends to a point 118 feet westerly therefrom; and

- (d) That a "No Parking - Loading Zone, 24 hours a day, 7 days a week" regulation be implemented on the south side of Hunter Street East commencing at a point 132 feet east of James Street South and extending to a point 144 feet easterly therefrom; and
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
15. That a "No Stopping" regulation be implemented on the south side of Glenvale Drive commencing at Garth Street and extending to a point 46 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
16. That a "No Parking" regulation be implemented on the east side of Glassco Avenue North commencing at Melvin Avenue and extending to a point 116 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
17. That a four-way stop control be implemented at the intersection of Crockett Street and East 27th Street, and that the City Traffic By-law 89-72 be amended accordingly.
18. (a) That northbound traffic on San Marco Street be required to stop for eastbound and westbound traffic on San Fernando Drive; and
- (b) That southbound traffic on San Marco Street be required to stop to eastbound and westbound traffic on San Pedro Drive; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
19. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be installed on a trial basis:
- Route #5 Delaware
- Add - Eastbound - Whitney Avenue, south side, 548 feet east of the east curb line of Rifle Range Road (M/B); and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

AMENDED.

20. That a "School Bus Loading Zone, 11:00 a.m. to 2:00 p.m., Monday to Friday" regulation be implemented on the east side of Harrisford Street commencing at a point 165 feet south of the south curb line of Albright Road and extending 36 feet southerly and the City Traffic By-law 89-72 be amended accordingly.
21. That a "School Bus Loading Zone, 11:00 a.m. to 2:00 p.m., Monday to Friday" regulation be implemented on the east side of Smith Avenue commencing at a point 218 feet north of the north curb line of Cannon Street East and extending 25 feet northerly and the City Traffic By-law 89-72 be amended accordingly.
22.
 - (a) That the hours of the existing full-time "Wheelchair Loading Zone" regulation on the south side of Clinton Street commencing at a point 53 feet east of Ruth Street and extending to a point 32 feet easterly therefrom be revised, such that the regulation is in effect from 9:00 a.m. to 5:00 p.m., seven days a week; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
23. That the application of the March for Jesus organization to temporarily close Elgin Street from 1:30 p.m. to 2:30 p.m. on Saturday May 25, 1996, in conjunction with a new route for the annual March for Jesus parade be approved, subject to the following conditions:
 - (a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police of his/her designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police of his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,

- (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the event organizer; and,
- (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and
- (g) That no property owner of resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.

24. That the application of the Snooty Fox Pub to temporarily close:

- (a) The south parking area on King Street in Westdale Village to hold a street party on Saturday June 8, 1996 at 3:00 p.m. to Sunday June 9, 1996 at 11:00 p.m.; and,
- (b) Parkside Drive between Devon Place and the intersection of Glen Road and Kipling Road on Sunday June 9, 1996 between 12:00 noon and 6:00 p.m. during the Family Picnic at Churchill Park festivities,

be approved, subject to the following conditions:

- i) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
- ii) That the applicant provide proof of \$5,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- iii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,

- iv) That all barricading be supplied by and at the expense of the applicant; and,
 - v) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the event organizer; and,
 - vi) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
25. That the applications to retain inadvertent encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council, provided;
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
 - (c) That the first year fees and subsequent annual fees outlined in Schedule "A" be set for the encroachments.

26. (a) That the following City land be incorporated into the following streets:

Dicenzo Drive	Part 10	62R-13294
Nash Road	Part 3	62R-2530
	Parts 5 & 7	62R-4039
	Part 1	62R-7464
Queen Victoria Drive	Parts 12 & 15	62R-6257

- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council.
- (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.
27. That the City Solicitor prepare an amendment to the Streets By-law to include:
- (a) The terms and conditions upon which a permit for a temporary road closure for a special event will be issued; and,
- (b) The delegation of approval for temporary road closure permits to the Mayor, the Ward Aldermen and the Chairman of the Transport and Environment Committee, by consent of at least three; and,
- (c) Staff report the decision of the committee named above to the Transport and Environment Committee; and,
- (d) If the permit application is denied, that the event organizer may appeal to the Transport and Environment Committee and Council.
28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-23 A By-law to Authorize the Sale of the Closed Portion of Kenora Avenue, Designated as Parts 2 & 3, Plan 62R-3773
- (b) A-24 A By-law to Authorize the Sale of the Closed Alley Between Bay Street and Strachan Street as Closed by Judge's Order 142966, Designated as Part 4, Plan 62R-7821

- (c) A-25 A By-law to Incorporate City Land Designated as Part 10, on Plan 62R-13294 into Diconzo Drive
- (d) A-26 A By-law to Incorporate City Land Designated as Part 3, on Plan 62R-2530 Parts 5 & 7, on Plan 62R-4039 and Part 1, on Plan 62R-7464 into Nash Road
- (e) A-27 A By-law to Incorporate City Land Designated as Parts 12 and 15, on Plan 62R-6257 into Queen Victoria Drive
- (f) A-28 A By-law to Authorize the Construction of Concrete Sidewalks on the South Side of Solidarnosc Place from Olga Street to Barnesdale Avenue North as Local Improvements as a City Initiative
- (g) A-29 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (h) A-30 A By-law to Amend By-law No. 89-72 to Regulate Traffic

29. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, one time limit exemption permit to each dwelling unit of the apartment building at 81-83 Gibson Avenue and any additional permits (to a maximum of 15) on a first-come first-served basis. **ADDED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 May 6

SCHEDULE 'A' Council Date: 1996 May 14

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual Fee</u>	<u>File Number</u>
Sheaffe & Park	1 Sheaffe Street	Roman Catholic Episcopal of the Diocese of Hamilton	Concrete steps measuring 2.665m x 0.600m x 2.665m x 0.870m encroaching onto Sheaffe Street and Concrete Porch and Ramp measuring 1.060m x 6.950m encroaching onto Park Street.	\$138/\$20	T103 50 1235
Catharine Street N	197 Catharine Street N	L. Polkinghorne	Steps measuring 0.701m x 1.219m encroaching onto Catharine Street N.	\$138/20	T103 50 1240
Cumberland Avenue	206 Cumberland Avenue	D.J. Petruzzi	A portion of the steps measuring 1.219m x 0.165m encroaching onto Cumberland Avenue.	\$138/20	T103 50 1243
Robert Street	224 James Street North	G. Gioacchino L. Mattina S. Mattina C. Mattina	A portion of the building measuring 0.037m x 4.572m, encroaching onto Robert Street	\$138/20	T103 50 1237
Huron Street	19 Huron Street	J. Burchett & L. Gamache	A portion of the veranda measuring 0.436m x 4.877m x 0.652m x 4.877m and a portion of the steps measuring 0.917m x 0.076m encroaching onto Huron Street.	\$138/20	T103 50 1239

1996 May 14

Schedule "A" as referred to in Section 25 of
the Seventh Report of the Transport and
Environment Committee for 1996

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1996 and respectfully recommends:

1. (a) That Application CD-95-011 under the Rental Housing Protection Act, Robert and Hyacinth Dockeray, owners, for conversion of 15 rental row house units to condominium units for the property located at 11-23 Courtland Avenue, be **APPROVED** on the following conditions:
 - (i) That the Owner offer, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit, noted in APPENDIX "A" attached hereto, for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in APPENDIX "A", upon the following minimum terms:
 - (1) the Offer shall be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent; and,
 - (2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval; and,
 - (3) that leases entered into as a result of (i) and (ii) above, be executed prior to the City's execution of the RHPA Approval Agreement; and,
 - (4) that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,
 - (5) that such leases shall commence no later than the date the Rental Housing Protection Act Approval Agreement with the City is registered on title; and,

- (6) that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.
- (ii) That the Owner grant to the Tenants residing at the premises as of the date of Council approval of the RHPA application an Option to Purchase a Unit specified in APPENDIX "A", (together with appurtenant interests). Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in APPENDIX "B" annexed hereto;
- (iii)
 - (1) That the City send by registered mail, to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - (2) That the notice indicated in section (i) above shall be sent immediately following the expiration of the appeal period of the Council approval; and,
 - (3) That the tenants noted in (i) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the option.
- (iv) That this RHPA approval shall cease and be at an end,
 - (1) if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - (2) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;

- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the City Solicitor, incorporating the City's conditions of approval listed herein (and in APPENDICES "A", "B" and "C" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;
 - (vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;
 - (vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
 - (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
- (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
2. A. (a) That approval be given to Subdivision Application 25T-91014(R), 200 Rymal Road Inc. (A. DiSilvestro), owner, for a revision to the draft plan of subdivision "Allison Estates", on lands located at the south-west corner of Upper Wellington Street and Rymal Road East, in the Allison Neighbourhood, as shown on the attached map marked as APPENDIX "D" subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by W. Bruce Clark, O.L.S., dated January 17, 1996, showing 21 lots, Blocks "22" and "23" for 0.30m reserves, and one street identified as Court "A", as shown on the attached map marked as APPENDIX "E";
 - (ii) That Court "A" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning, a municipal street numbering plan.

- (iv) That the final plan conform with the Zoning By-law approved under the Planning Act,
- (v) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan.
- (vi) That the Owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
- (vii) That the radius transition into and out of the cul-de-sac be increased to 10m.
- (viii) That the Owner provide documentation that the standard roadway cross-section, utilities and municipal sidewalks, etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width to the satisfaction of the Manager of Development, Regional Environment Department.
- (ix) That the Owner establish Court "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Manager of Development, Regional Environment Department.
- (x) That the Owner convey Block "22", that being a 0.30 m wide reserve along the rear of Lots 13 to 21 inclusive, and Block "23", to the Region of Hamilton-Wentworth, by deed, at the time of registration of the Final Plan of Subdivision.
- (xi) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (xii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (xiii) That the Owner enter into a subdivision agreement with the City of Hamilton, in order to satisfy all requirements, financial, engineering and otherwise, prior to the development of any portion of these lands.

- (xiv) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-91014(R)), 200 Rymal Road Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.
- B. (a) That approval be given to Zoning Application 96-01, 200 Rymal Road Inc., (A. DiSilvestro), owner, requesting a change in zoning from "DE-3" (Multiple Dwellings) District, modified and "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, for lands located at the south-west corner of Upper Wellington Street and Rymal Road East, shown as Blocks "1", "2" and "3" on the attached map marked as APPENDIX "D", on the following basis:
 - (i) That Blocks "1" and "2" be rezoned from "DE-3" (Multiple Dwellings) District, modified, to "R-4" (Small Lot Single Family Dwelling) District; and,
 - (ii) That Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District;
 - (iii) That the "R-4" (Small Lot Single Family Dwelling) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands shown as Block "1", be modified to include the following variance as a special requirement:
 - (1) That notwithstanding Section 9A.(2)(b)1.(i) of Zoning By-law No. 6593, a front yard having a depth of not less than 7.0 metres shall be provided and maintained;

- (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1358, and that Block "1" on Zoning District Map E-9E be notated S-1358;
 - (v) That the Director of Planning be directed to prepare a By-law in a form satisfactory to the City Solicitor to amend Zoning By-law No. 6593 and Zoning District Map E-9E for presentation to City Council; and,
 - (vi) That the proposed changes and modification in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the approved Allison Neighbourhood Plan be amended to add the public highway shown as Court "A" on the draft plan of subdivision and that the subject lands be redesignated from "Low Density Apartments" to "Single & Double" Residential upon finalization of the Zoning By-law.
3. (a) That approval be given to City Initiative CI-96-D, to provide for amendments to Zoning By-law No. 6593, respecting the regulation of third party/billboard signs, on the following basis:
- (i) That Section 2.(2)H(vig) of Zoning By-law No. 6593 be amended by adding "/Billboard" after the words "Signs, Third Party" in the title, so it reads as follows:

"Signs, Third Party/Billboard"
 - (ii) That Section 13.(1)(xva) of Zoning By-law No. 6593 be deleted; and,
 - (iii) That Section 13A.(1)(xi) of Zoning By-law No. 6593 be deleted and replaced with the following:

(xi) A third party/billboard sign in accordance with Section 18.(15).
 - (iv) That Section 14.(1)(xvi) of Zoning By-law No. 6593 be deleted and replaced with the following:

(xvi) A third party/billboard sign in accordance with the requirements of Section 18.(15), roof sign, overhanging sign or other sign or notice;

- (v) That Section 14A.(1)(c) of Zoning By-law No. 6593 be modified to add the words "business identification sign that is" after the word "no" in the fourth line, so that the Clause reads in part as follows:
 - (c) As provided in clauses vii, viii, ix, x, xi, xiv, xvi and xvii of subsection 1 of Section 14.

Provided, however, that save as hereinafter in this Section provided, no business identification sign that is a wall sign, roof sign or ground sign shall have...
- (vi) That Section 15.(1)(ii) of Zoning By-law No. 6593 be modified by adding to the end "and a third party/billboard sign", so the entire clause reads as follows:
 - (ii) Any commercial use which is permitted in a residential district or other commercial district except a penny arcade and a third party/billboard sign";
- (vii) That Section 15A.(1)(xviii)(b) of Zoning By-law No. 6593 be modified by adding to the end "but not including a third party/billboard sign", so the entire clause reads as follows:
 - (b) A window sign or an outdoor advertising sign or other sign of the kind known as a wall sign, not overhanging a highway, but not including a third party/billboard sign.
- (viii) That Section 16.(1) of Zoning By-law No. 6593 be modified by adding a new clause (ivb) as follows:
 - (ivb) A third party/billboard sign in accordance with the provisions of Section 18.(15).
- (ix) That Section 16A.(1)(f) of Zoning By-law No. 6593 be modified by:
 - (1) deleting the words "and in addition, ground signs, wall signs and roof signs, pertaining to any advertising matter whatsoever" in the third, fourth and fifth lines;
 - (2) deleting the words "for each of the two categories mentioned;" in the sixth line so the clause reads as follows;

- (f) Ground signs, wall signs and roof signs, the advertising matter of which pertains only to the occupancy or use of the lot or building upon which they are erected provided that:
- (3) adding a new clause (fa) as follows:
 - (fa) A third party/billboard sign in accordance with the provisions of Section 18.(15).
- (x) That Section 17A.(1)(d) of Zoning By-law No. 6593 be modified by:
 - (1) deleting the words "and in addition to these, ground signs, wall signs and roof signs, pertaining to any advertising matter whatsoever," in the third, fourth and fifth lines;
 - (2) deleting the words "for each of the two categories mentioned," in the sixth line so the clause reads as follows:
 - (d) ground signs, wall signs and roof signs, the advertising matter of which pertains only to the occupancy or use of the lot or building upon which they are erected provided that:
 - (3) adding a new clause (dd) as follows:
 - (dd) A third party/billboard sign in accordance with the provisions of Section 18.(15).
- (xi) That Section 18 of Zoning By-law No. 6593 be amended by adding a new subsection as follows:

"Special Requirements for Third Party/Billboard Signs"

- (15) Notwithstanding any other provisions in this By-law, the following provisions shall apply to every third party/billboard sign:
 - (1) Third party/billboard signs shall be ground signs or wall signs only;

- (2) Third party/billboard signs shall be permitted only in: "G-1", "G-2", "H", "HH", "J", "JJ", "K", and "KK" Districts, subject to the following requirements:
 - (a) a maximum of one third party/billboard sign with up to two faces shall be permitted per property;
 - (b) third party/billboard signs shall be prohibited on the lands located within Area "A" shown on Schedule "I" of Section 18A;
 - (c) a minimum separation distance of 100 metres between each third party/billboard sign shall be provided and maintained;
 - (d) a third party/billboard sign shall be a minimum of 36 metres from a residential district;
 - (e) a third party/billboard sign shall have a maximum height of 7.6 metres;
 - (f) a third party/billboard sign shall have a maximum sign area of 25 square metres per face; and,
 - (g) no third party/billboard sign shall be illuminated unless the source of the light is steady and suitably shielded to contain the illumination.
- (xii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (xiii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That staff be directed to monitor the by-law to regulate billboards and report back to the Planning and Development Committee in one year.
- (c) That on-going input from the public and the sign industry be sought by staff.

ADDED.

4. That the Building Commissioner be directed not to issue a demolition permit for 39 North Oval.
5. That the Building Department continue with the current policy of Council to enforce property standards only by complaint on the property at 28-44 James Street North/5-21 King William Street known as the Lister Building.
6.
 - (a) That the budget as outlined in APPENDIX "F" be approved for the purchase of decorative Christmas Wreaths for the Barton Street Improvement Area; and,
 - (b) That the City Treasurer be authorized and directed to forward \$ 8,469.06 to the Barton Street B.I.A..
7. That the Building Commissioner be authorized to issue a demolition permit for 697 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
8. That the Building Commissioner be authorized to issue a demolition permit for 1275 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9. That the Building Commissioner be authorized to issue a demolition permit for 917 West 5th Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
10. That the City of Hamilton accept the sum of \$15,700.00 as a cash payment in lieu of the 5% land dedication in connection with Kemp Estates located in the Redhill Neighbourhood south of Congress Crescent and west of Mount Albion Road, and the sum of \$65,000.00 as the cash in lieu of the 5% land dedication in connection with Kentley Lane, Hamilton, located in the Kentley Neighbourhood, being the cash payment required under Section 51 of the Planning Act.
11. That a Heritage Permit be approved for the demolition of the twin gazebos (c. 1965) on the north lawn of Dundurn Castle.
12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-21 A By-law To Amend Zoning By-law No. 6593 Respecting Lands Located South of Rymal Road East and West of the Proposed Extension of Upper Sherman Avenue.

- (b) C-22 A By-law To Amend Zoning By-law No. 6593 Respecting Third Party/Billboard Signs.
- (c) C-23 A By-law To Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 244 Lake Avenue North.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 May 8**

APPENDIX "A"**List of Units by Address and the Applicable Rent**

Unit #1	11 Courtland Avenue Unit 11A Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #9	11 Courtland Avenue Unit 11I Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #2	11 Courtland Avenue Unit 11B Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #10	11 Courtland Avenue Unit 11J Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #3	11 Courtland Avenue Unit 11C Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #11	15 Courtland Avenue Unit 15 Hamilton, Ontario L9C 6M4 Monthly Rent: \$667.60
Unit #4	11 Courtland Avenue Unit 11D Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #12	17 Courtland Avenue Unit 17 Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #5	11 Courtland Avenue Unit 11E Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #13	19 Courtland Avenue Unit 19 Hamilton, Ontario L9C 6M4 Monthly Rent: \$667.60
Unit #6	11 Courtland Avenue Unit 11F Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #14	21 Courtland Avenue Unit 21 Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #7	11 Courtland Avenue Unit 11G Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28	Unit #15	23 Courtland Avenue Unit 23 Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28
Unit #8	11 Courtland Avenue Unit 11H Hamilton, Ontario L9C 6M4 Monthly Rent: \$680.28		

The names of the tenants are not included as part of this APPENDIX for reasons of confidentiality.

AMENDED

Appendix "B" referred to in
Section 1. (a) of the EIGHTH Re.
of the Planning and Development
Committee for 1996.

APPENDIX "B"

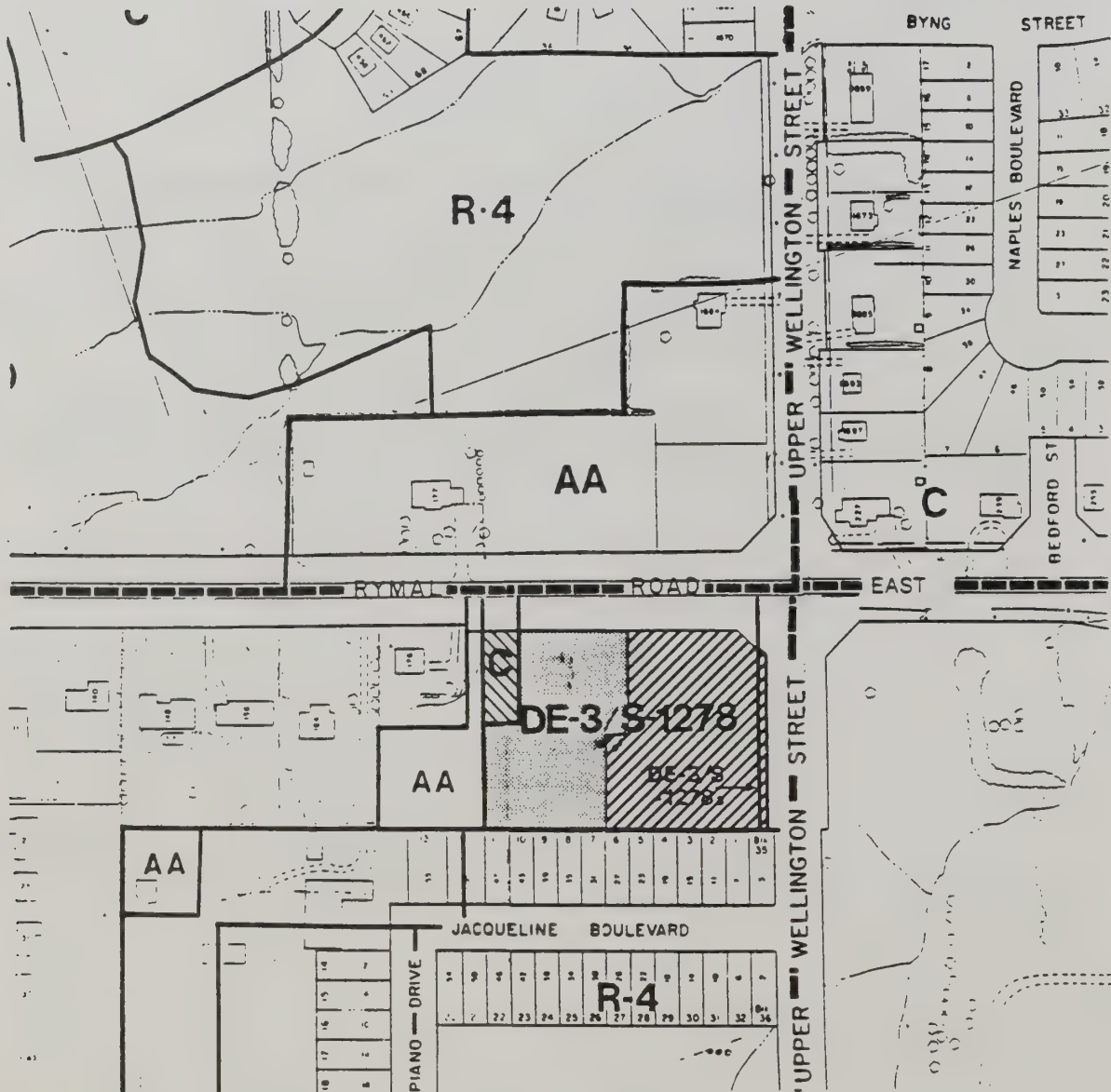
The Agreement of Purchase and Sale shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b)(i) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property; and,
- (ii) that where a tenant has exercised an option to purchase within one (1) year of the registration of the property as a condominium, the purchase price as assigned above shall be discounted by five (5.0) percent of the appraised dollar value of the subject unit; and,
- (iii) that the aforementioned accredited appraiser of real property shall be retained at the expense of the owner and that the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

APPENDIX "C"

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.
- (d) If the Director of Planning and Development receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Planning and Development shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.

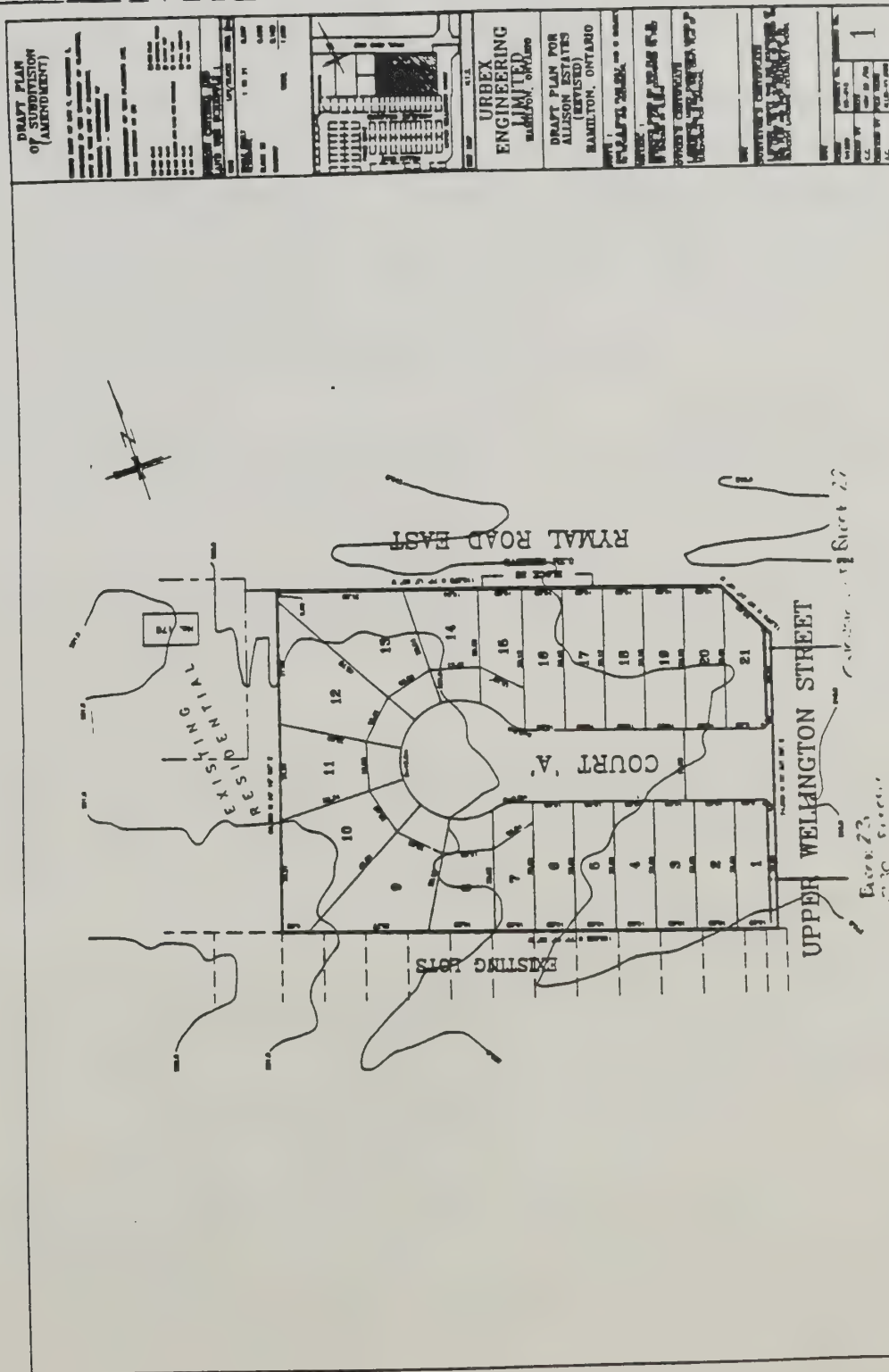


Legend

Proposed change in zoning from:

- | | | |
|---------|---|--|
| BLOCK 1 |  | "DE-3" (Multiple Dwellings) District, Modified, to "R-4" (Small Lot Single - Family Dwellings) District, Modified. |
| BLOCK 2 |  | "DE-3" (Multiple Dwellings) District, Modified, to "R-4" (Small Lot Single - Family Dwellings) District. |
| BLOCK 3 |  | "C" (Urban Protected Residential, etc.) District, to "R-4" (Small Lot Single - Family Dwellings) District. |


ZAC-96-01



XMAS DECORATION QUOTATIONS**ENLIGHTENING DESIGN & DISPLAY**

SINGLE RING POLE MOUNT WREATH	30 Units @ \$250 EA	\$7,500.00
DOUBLE RING POLE MOUNT WREATH	30 UNITS @ \$350 EA	
TAXES:	PST	\$600.00
	GST	\$525.00
	TOTAL	<u>\$8,625.00</u>

CROZIER AGENCIES

54" WREATH (P331)	30 UNITS @ \$340 EA	\$10,200.00
	EARLY BUY DISCOUNT 20%	\$2,040.00
	VOLUME DISCOUNT 5%	\$408.00
	SUBTOTAL	<u>\$7,752.00</u>
	TAXES: PST	\$620.16
	GST	\$542.64
	TOTAL	<u>\$8,914.80</u>
	FULL PAYMENT DISCOUNT 5%	\$445.74
		<u>\$8,469.06</u>

CLASSIC DISPLAYS

4' DELUXE SIDE MOUNT WREATH	30 UNITS @ \$330 EA	\$9,900.00
	10% DISCOUNT	\$8,910.00
	BEFORE MAY 31 (W/TAXES)	\$10,246.50
	7% DISCOUNT	\$9,207.00
	BEFORE JUNE 30 (W/TAXES)	\$10,588.05
	5% DISCOUNT	\$9,405.00
	BEFORE JULY 31 (W/TAXES)	\$10,815.75

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1996 and respectfully recommends:

1. (a) That the City of Hamilton resolve Ontario Court (General Division) Action # 8951/95 by the payment to the Plaintiffs, John F. and Jane Naylor of the sum of \$7,500 inclusive of all claims for damages, interest and costs; and,

 (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

 (c) That Ontario Court (General Division) Action # 8951/95 be dismissed without costs.
2. That approval be given to the request of Folklore Ensemble Croatian Village of Holy Cross Church in Hamilton to fly the Croatian flag at City Hall from 1996 May 17 to 20 during the Canadian-Croatian Festival.
3. That approval be given to the request of the Ontario Mundialization Association and the United Nations Association (Hamilton Branch) to use the Council Chambers and Committee Rooms 219, 233 and 264 on Saturday, 1996 October 26 from 8:00 a.m. to 6:00 p.m. for an Ontario Mundialization Conference.
4. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence for The Undermount Tavern at 135 James Street South from Friday, 1996 June 14th to Sunday, 1996 June 23rd in conjunction with a community festival called MusicFest Hamilton.
5. That the Council of the Corporation of the City of Hamilton deems the Annual Festivals of the St. Mary's Portuguese Parish to be held 1996 May 25 and 26th (Holy Spirit Fraternity) and 1996 August 9, 10 and 11 (Our Lady of the Angels - Patron Saint) to be community festivals of municipal significance, and as such have no objection to the issuance of Special Occasion Permits for these festivals.

6. That approval be given to the action taken by the Acting City Clerk in authorizing the Canadian Union of Public Employees to use the City Hall Forecourt and related equipment on Tuesday, 1996 May 7 from 6:00 p.m. to 8:00 p.m. for a Stop Workfare Rally.
7. That as referred to in Section 9 of the Sixth Report for 1996 of the Transport and Environment Committee approved by City Council at its meeting held Tuesday, 1996 April 30th, the City's share of service for Battleridge Subdivision - Phase 3 in the amount of \$32,625, Bow Valley Estates in the amount of \$3,972.33, and Kempt Estates in the amount of \$2,101.31 for a total estimated cost of \$38,698.64, be financed from the Account Centre No. CH 00107 - Reserve for Services Through Unsubdivided Lands.
8. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

1059 Cannon East	27 Stella
1521 Upper Ottawa #3	1521 Upper Ottawa #7
58 East South	157 Clifton Downs
295 Locke South	25 West South
61 East South	37 Kenilworth North
- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
9. (a) That maintenance for IBM computer equipment be authorized for payment to IBM Canada Ltd. (as the sole acceptable supplier) based on the following monthly rates (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CH 57101 26020	Equipment Repair (Central Processing)	\$1,860/month
CH 57101 26014	Equipment Repair (Disk & Tape)	\$5,215/month
CH 57101 26016	Equipment Repair (Host Printing)	\$ 575/month
CH 57101 26025	Equipment Repair (Data Entry)	\$ 176/month

- (b) That the maintenance schedule be in effect for a 36 month period, starting 1996 July 1, with options for termination or upon 30 days notice, subject to any discount penalties that may apply; and,
- (c) That annual increases in maintenance costs in 1997 and 1998 be permitted provided that they do not exceed the increase in the Consumer Price Index or inflation.

10. (a) That the monthly operating licence fees for IBM operating system and related software be authorized for payment to IBM Canada Ltd. for the term of Council based on the current monthly rates as follows (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Monthly Amount</u>
CH 56005-26020	CPU Software	\$ 27,400/month
CH 56005-26022	Software (Communications)	\$ 8,120/month
CH 56099-26021	Software (Business Systems)	\$ 2,335/month

- (b) That the software schedule in the licence agreement include a provision that any software may be cancelled, at any time, with 30 days notice; and,
 - (c) That annual increases in software maintenance costs in 1997 be permitted provided that they do not exceed the increase in the Consumer Price Index or inflation.
11. That a purchase order be issued to Neovac Ltd., Markham, in the amount of \$269,775.18, including trade-in and all applicable taxes, for the replacement of two (2) Street Sweepers units #9568 and 9569 for Fleet Services, being the lowest total acquisition cost of six proposals received in accordance with specifications issued by Purchasing and Vendor's proposal, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

12. That a purchase order be issued to Battlefield Equipment Rentals in the amount of \$63,675.50, including all applicable taxes, for the replacement of two (2) Double Drum Rollers units 9724 and 9726 for Fleet Services, being the lowest total acquisition cost of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
13. That a purchase order be issued to Nethercott Chevrolet Oldsmobile Ltd. in the amount of \$102,460.40, all applicable taxes included, for the purchase of Seven (7) Compact Cars for City Garage, being the lowest of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
14. That a purchase order be issued to Nethercott Chevrolet Oldsmobile Ltd. in the amount of \$65,881.20, all applicable taxes included, for the purchase of Three (3) Mid-Size Cars for City Garage, being the lowest of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.
15. That a purchase order be issued to Champion Road Machinery Sales Ltd., Brampton in the amount of \$226,320, including trade-in and all applicable taxes, for the replacement of one (1) Asphalt Spreader unit 9696 for Fleet Services, being the lowest total acquisition cost of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
16. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 April 26, attached herewith and marked Appendix "A", be approved.

17. That the City Treasurer be directed to close the following Capital Projects Accounts of The Parking Authority of the City of Hamilton with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
909145002	Demolition & Site Preparation	275,000	274,971.14	28.86
909145004	Study & Design - Existing/Future Parking	50,000	49,616.07	383.93
909245004	Demolition & Site Preparation	100,000	99,286.72	713.28
909345007	Upgrading of Existing Facilities	300,000	300,000	0
909345009	Study & Design - Existing/Future Projects	50,000	49,466.70	533.30
909445011	Upgrading Existing Facilities	100,000	99,846.35	153.65

18. That a letter be forwarded by Mayor Morrow to the Minister of Municipal Affairs and Housing with copies to the Federal Minister responsible for Infrastructure along with the local Members of Parliament and Members of Ontario Legislature, The Association of Municipalities of Ontario and the Federation of Canadian Municipalities, requesting that the Province review and expedite the approval of the City's applications to the Canada/Ontario Infrastructure Works Program to ensure that these projects can commence as soon as possible and generate the additional employment which is the objective of the Infrastructure Program.
19. (a) That Harry Kitchen, Consultant, report on the process followed, assumptions used and conclusions of the Constituent Assembly Report on Local Government Restructuring, at a cost not to exceed the remaining balance of \$1,600 of current allocated funds of \$10,000; and,
- (b) That this one hour presentation be given at the beginning of a one-day session of members of Hamilton City Council to be held to review the Final Report from the Constituent Assembly; and,
- (c) That a City of Hamilton response to the Final Report from the Constituent Assembly be forwarded to the Regional Clerk prior to the 1996 June 3rd request date.

20. (a) That Section 16 of the Eighteenth Report of the Finance and Administration Committee as adopted by City Council on 1993 September 28, and subsequently amended on 1993 November 30, Section 10 of the Twenty-Second Report of the Finance and Administration Committee respecting an amendment to the lease for part of Copps Coliseum, 101 York Boulevard, to The Society of Management Accountants of Canada, be further amended by increasing the area leased from 1,508 square feet to 2,258 square feet; and,
AMENDED.
- (b) That the rental rates be adjusted accordingly based on a rate of \$5 per square foot (gross) (from \$7,540 per annum/\$628.33 per month to \$11,290 per annum/\$940.83 per month); and,
- (c) That the City Solicitor be authorized to amend the Lease Agreement.
21. (a) That approval be given to issue a purchase order in the amount of \$105,699.95 inclusive of G.S.T. (\$6,914.95) to commission Douglas Construction Limited of Caledonia, Ontario for the construction of an underground room along the east limit of City Hall and the installation of an emergency generator (already purchased by the City), this being the lowest of four quotations received in accordance with the specifications (Ref: C14-22-95) issued by the Purchasing Division; and,
- (b) That this amount, being within the approved budget, be charged to accounts CF 319541006 - Split/Balance Power Supply and CF 319541007 - Uninterruptable Power Supply - Computer Systems.
22. (a) That the City of Hamilton enter into a Lease Agreement with Lorne Richter to lease an irregular shaped parcel of City land approximately 287.4 square metres (3,094 square feet) more or less abutting the south-east corner of the Richter property at 244 Lake Avenue North; and,
- (b) That the Lease Agreement contain the following terms and conditions:
- (i) Term - Commences 1996 May 1 and terminates 1997 April 30; and,
- (ii) Rent - \$1,000 per year plus any applicable taxes to be credited to Account No. CH 44104 31106 (miscellaneous rentals); and,

- (iii) That the lease agreement shall be solely for customer and employee parking purposes; and,
 - (iv) (1) The Lease agreement be subject to the Lessee at their sole expense, applying for and obtaining a temporary rezoning of the subject lands to accommodate the proposed use; and,
 - (2) The Lessee acknowledges that approval of this Lease by the City, does not fetter the discretion of the City Council to decide whether to pass a by-law rezoning the subject lands pursuant to the application set out in (a) above. City Council is under a statutory duty under the Planning Act, 1983 to consider all the factors set out in the Act, in deciding whether to pass a by-law to rezone the subject lands; and,
 - (c) That the Lease Agreement be in a form satisfactory to the City Solicitor; and,
 - (d) That the Corporation of the City of Hamilton enter into an Authority to Enter agreement, to be executed by Lorne Richter, to enter upon the approximately 12 metres (40 feet) of City Lands to the east of 244 Lake Avenue North from the period of 1996 May 1 to 1996 October 31 for purposes of assisting Richter in the construction of a building addition on his own lands; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
23. (a) That the existing fuel oil tank buried at the south east corner of the City owned property at 940 Queensdale Avenue East be removed and an Environmental Assessment be conducted at a cost not to exceed \$6,000.
- (b) That the cost for this removal and assessment be charged to Account CH4X501 00102 (Reserve for Property Purchases).
24. (a) That the agreement between the City and Mr. Jamshid Hidary for the operation of the Street Vending location on the north side of King Street East just east of James be terminated immediately, and that the total \$7,000 bid fee be refunded to Mr. Hidary; and,
- (b) That this King and James location be deleted from the list of approved Street Vendor sites; and,

- (c) That the Commissioner of Public Works and Traffic be authorized to negotiate with Mr. Hidary the relocation of his vending cart. The location is to be selected from the list of approved vacant street vendor sites, and a fee for that site will have to be determined. **REFERRED BACK.**

25. That the Mayor, Chairman of the Finance and Administration Committee and five Aldermen be authorized to attend the 1996 Annual Conference of the Association of Municipalities of Ontario being held 1996 August 18th to 21st in Toronto.
26. (a) That the City of Hamilton host a reception for the Hamilton International Air Show on Saturday, 1996 June 15th, at a cost of \$5,000; and,
- (b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.
27. (a) That with regard to the New Board structure being proposed for the merged Civic Hospital and Chedoke McMaster Hospital, that the City continue to make the appointments to the Board and representation from Council would continue on the new Board; and,
- (b) That the Chair of the Merger Transition Committee, Rabbi Baskin, be requested to consult with City Council by way of the Finance and Administration Committee regarding models, composition and appointments to the Board.
28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-38 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-39 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

29. In light of the Health Action Task Force Report, and

Since the City and Region conditionally supported the CEO's Academic Health Care Network Report,

and

Further, in response to the concerns of Doctors on behalf of their patients in the East End, on the Mountain, in Stoney Creek and beyond the southerly limits of Hamilton,

THAT the CEO's position be amended to include that Henderson Hospital be maintained as an Acute Care Facility. **ADDED.**

Recorded vote

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

30. That City Council seek standing before the Health Action Task Force on behalf of the citizens of the City of Hamilton. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 May 7**

Appendix "A" referred
to in Section 16 of the
TENTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Timothy Boychuk	I	Lieutenant (C7)	Fire	Replacing Mr. J. Doyle - promoted February 11/96	\$57,934.32	March 24/96
Mr. Robert Kimball	I	Lieutenant (C7)	Fire	Replacing Mr. P. Galinis - promoted February 11/96	\$57,934.32	March 24/96
Mr. John Kossup	I	Lieutenant (C7)	Fire	Replacing Mr. P. Gallacher - promoted February 11/96	\$57,934.32	March 24/96
Mr. F. Krestynski	I	Lieutenant (C7)	Fire	Replacing Mr. K. Knoflook - promoted February 11/96	\$57,934.32	March 24/96
Mr. John Lawson	I	Lieutenant (C7)	Fire	Replacing Mr. W. Melnyk - promoted February 11/96	\$57,934.32	March 24/96

Prepared April 26, 1996

Status -

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Russell Lloyd	I	Lieutenant (C7)	Fire	Replacing Mr. F. Reading - promoted February 11/96	\$57,934.32	March 24/96
Mr. David Louth	I	Lieutenant (C7)	Fire	Replacing Mr. B. Schweitzer - promoted February 11/96	\$57,934.32	March 24/96
Mr. Randall Moss	I	Lieutenant (C7)	Fire	Replacing Mr. B. Stark - promoted February 11/96	\$57,934.32	March 24/96
Mr. Terrence O'Brien	I	Lieutenant (C7)	Fire	Replacing Mr. S. Sunesen - promoted February 11/96	\$57,934.32	March 24/96

Prepared April 26, 1996

Status -

Internal - I

External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. George Dans	Parking Control Officer	Public Works & Traffic	Retired	11 years 8 months	March 29/96

Prepared April 26, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

URBAN/MUNICIPAL
CAY ON HBL ADS
M21
1996

1996 May 28

Minutes of Hamilton City Council
Tuesday, 1996 May 28
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

JUN 3 1996

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Rabbi Israel Silverman, Beth Jacob Synagogue led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 May 14 were adopted as circulated.

PRESENTATIONS

Mayor Morrow presented Sesquicentennial Provincial Awards to Transway Basketball Minor Bantam Provincial AAA Champions, Bantam Provincial AAA Champions and the Juvenile AA Provincial Champions.

CORRESPONDENCE\PETITION

1. Letter/Petition dated 1996 May 16 from Sanford Battery Manufacturing Limited Re: parking meters on the north side of Hunter Street between John and James Street

Referred to the Transport and Environment Committee.

2. Facsimile dated 1996 May 22 from Ann Louise Vick, Secretary of the Hamilton Signals Association Re: Bus Shelters in the immediate area of the Cenotaph.

Referred to the Transport and Environment Committee.

3. Letter dated 1996 May 22 from Mary L. Gallagher, Legislative Assistant, Regional Clerk's Office for the Regional Municipality of Hamilton-Wentworth respecting Regulation of Second Level Lodging Homes.

Referred to the Finance and Administration Committee.

4. Application dated 1996 May 22 from Luatta Harrington, Don Mills, Ontario for a modification to the established "HH" (Restricted Community Shopping and Commercial etc.) District for 1051 Upper James Street, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT

Section 2 Re: Approval of outdoor patio - 224 James St. N.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Copps. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTH REPORT

Section 11 Re: Alcohol in Parks - Bayfront Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 12 Re: Alcohol in Parks - Globe Park and Turner Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 14 Re: Alcohol in Parks - Eastwood Arena

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli,
Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -
15

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

* * * * *

Section 18 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli,
Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico,
Ross. -16

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 24 Re: Alcohol in Parks

Recorded vote.

YEAS: Aldermen Kiss, Morelli, Copps, Wilson, Charters, Jackson, Merling,
Anderson. -8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Eisenberger,
Collins, D'Amico, Ross. -9.

LOST.

* * * * *

Section 29 (c) Re: Dundurn Castle

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Section 29 (c) of the SEVENTH Report for 1996 of the Parks and Recreation Committee be amended by deleting Subsection (c) in its entirety and replacing it with the following:

- "(c) That the reroofing of the stables building at Dundurn Castle in the estimated amount of \$57,275 be financed from Account No. CF 319641023 (Building Operations and Maintenance) which was previously allocated for the reroofing of the original billiard room and bowling alley of the 1870 wing in Dundurn Castle to coordinate the reroofing with the conversion of the stables building; and," **CARRIED.**

* * * * *

Section 31 Re: Sale of Alcohol - 1996 Golf Season

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 31:

31. (a) That the Director of Culture and Recreation be authorized to renegotiate the contracts, satisfactory to the City Solicitor, with the Concessionaires to permit the sale of alcohol from halfway houses during the 1996 Golf Season on a trial basis in accordance with Provincial statutes and on the understanding that the City of Hamilton will be cross-insured and indemnified by the Concessionaires; and
- (b) That the Director of Culture and Recreation report back to the Committee by year end on the results of this initiative.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Eisenberger, Collins, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson. -8. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - NINTH REPORT

Section 6 Re: Demolition of 412 Charlton Avenue West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross.-14

NAYS: Alderman Kiss -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Rule No. 9 Re: By-law for Taxi and Livery Licence Fee

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a by-law for Taxi and Livery Licence Fee increases. **CARRIED.**

* * * * *

Section 13 Re: The Introduction of Bill No. D-41

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 13 of the Eleventh Report for 1996 of the Finance and Administration Committee as Bill No. D-41:

D-41 A By-law to Amend Licensing By-law No. 93-069 Respecting Taxi and Livery Licence Fees. **CARRIED.**

* * * * *

Rule No. 9 Re: Proposed Teletheatre - Flamboro Downs

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting an additional proposed teletheatre location for Flamboro Downs. **CARRIED.**

* * * * *

Section 14 Re: Teletheatre

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 14 of the Eleventh Report for 1996 of the Finance and Administration Committee as follows:

14. That City Council advise the Ontario Racing Commission that it is aware of the request from the Flamboro Downs for an additional proposed Teletheatre location at 801 Mohawk Road West, Harvard Square and that City Council has no objection to this location being approved. **CARRIED.**

* * * * *

Rule No. 9 Re: Hospital Services

It was moved by Alderman Merling and seconded by Alderman Charters that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting local hospital services. **CARRIED.**

* * * * *

Section 15 Re: Hospital Services

It was moved by Alderman Merling and seconded by Alderman Charters that the following be added as Section 15 of the Eleventh Report for 1996 of the Finance and Administration Committee:

15. Given the City's recent experience and proactive work on behalf of its residents for maintenance of local hospital services and with the approach of the current Provincial Government to support restructuring through amalgamated management as seen in Bill 26, Schedule "F", amendment to the Public Hospital Act.

It is crucial that this City go on record with and petition the Minister to continue the City's role and responsibility for appointing all members on any newly created Hospital Board.

This authority must continue to reinforce the accountability of the Board members to the residents of this community.

This request be circulated to all area MPP's for their support on behalf of their constituents. **CARRIED.**

* * * * *

Rule No. 9 Re: Great Lakes St. Lawrence Mayor's Conference

It was moved by Mayor Morrow and seconded by Alderman Drury that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting attendance at the Great Lakes St. Lawrence Mayor's Conference. **CARRIED.**

* * * * *

Section 16 Re: Great Lakes St. Lawrence Mayor's Conference

It was moved by Mayor Morrow and seconded by Alderman Drury that the following be added as Section 16 of the Eleventh Report for 1996 of the Finance and Administration Committee:

16. That Alderman W. McCulloch be authorized to attend the upcoming Great Lakes St. Lawrence Mayor's Conference to be held in Quebec City, June 15-19, 1996.

CARRIED.

NOMINATING COMMITTEE - FOURTH REPORT

(To Elect a Chairman of the Committee of the Whole)

ACTING MAYOR FOR THE MONTH OF JUNE, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Jackson be appointed Acting Mayor for the month of June, 1996. **CARRIED.**

ADOPTING THE REPORTS OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:50 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 May 28
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1996 and respectfully recommends:

1. (a) That Sub-section 15 (a) of the Fourth Report of the Transport and Environment Committee for 1995 adopted by City Council on 1995 March 14, for the approval of Schedules for "Claudette Gardens - Phase 7", be rescinded and replaced with sub-section (b) below; and,
- (b) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"CLAUDETTE GARDENS - PHASE 7", Hamilton

(Revised Schedules)

City's Share - NIL - Subdivider's Share - \$124,353.64

2. (a) That the application of V. Campanella, proprietor of the Gathering Spot (224 James Street North, Hamilton), on behalf of the owners, G. Gioacchino, S. Mattina, L. Mattina and C. Mattina, to establish an outdoor boulevard cafe at No. 224 James Street North, measuring 3.16m X 17.83m, on the Robert Street road allowance, be approved during the pleasure of Council, subject to the following conditions:
 - (i) That the applicant and owners enter into a Boulevard Cafe Agreement in a form satisfactory to the Commissioner of Transportation and the City Solicitor; and,
 - (ii) That the applicant or owner pay the processing and registration fee of \$958 and first annual encroachment fee of \$454.80 plus taxes; and,
 - (iii) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

- (iv) That the applicant occupy the licensed area of the boulevard from May 1 to October 31 of each year of the agreement, and that all furniture, equipment, etc. be removed from the road allowance at all other times; and,
- (v) That the applicant provide adequate access for the physically disabled utilizing the Barrier Free Design Standards adopted by Council on 1994 October 25; and,
- (b) That the Mayor, the City Clerk and the City Treasurer be authorized and directed to execute the Boulevard Cafe Agreement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

Respectfully Submitted,

**Tina Agnello
Acting Secretary**

**ALDERMAN H. MERLING
TRANSPORT AND ENVIRONMENT COMMITTEE**

1996 May 28

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1996 and respectfully recommends:

1. That the Director of Culture and Recreation be authorized to apply for a "Reading the Museums" grant through the Canadian Museums Association for the production of a grounds tour brochure for Dundurn and Harvey Parks.
2. That the By-laws and Constitution of the Friends of the Hamilton Children's Museum adopted by City Council on 1992 August 25, attached hereto and marked as Appendix "A," be approved as amended.
3. That the Director of Culture and Recreation be authorized to apply for a grant under the Federal Department of Employment and Immigration Section 25 Programme to request the following positions for a period of up to 52 weeks at no cost to the City:
 - (a) Museums Assistant, Exhibit Preparator - The Children's Museum; and,
 - (b) Museum Collections Assistants (4) - Whitehern and The Hamilton Museum of Steam and Technology
4.
 - (a) That up to \$600. be used from the Hamilton Children's Museum's Trust Account No. CH5X999 00403 for the purchase of a camera and television monitor set for exhibit purposes at the Hamilton Children's Museum; and,
 - (b) That an acknowledgement sign recognizing the donation of \$600. from the East Hamilton Optimist Club for the purchase of a camera and television monitor set be erected at the Hamilton Children's Museum.
5. That the Director of Culture and Recreation be authorized to apply to the Federal Department of Canadian Heritage for two positions (Historical Gardening Assistants) under the Young Canada Works programme for a period of eight (8) weeks at no cost to the City.

6. (a) That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, be given to the Director of Culture and Recreation to contract Hands Fireworks Inc. to provide a fireworks display on 1996 July 1, subject to the following terms and conditions:
 - (i) That the Hands Fireworks Inc. licensed fireworks company be hired to produce and fire a high level fireworks display; and,
 - (ii) That Hands Fireworks Inc. provide proof of \$5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the Corporation of the City of Hamilton as co-insured with a cross liability endorsement; and,
 - (iii) That Hands Fireworks Inc. enter into a Licensing Agreement satisfactory to the City Solicitor; and,
 - (iv) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (v) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee; and,
 - (vi) That the Hamilton Harbour Commission be notified and their regulations be adhered to; and,
 - (vii) That the Department of Public Works and Traffic - Street Vendors' Program at Bayfront and Pier 4 Parks be allowed to remain open throughout the event as per the contract; and,
 - (b) That approval be granted to the City of Hamilton to contract The Umbrella Food Services Group Inc. to barbecue and sell food and beverages during the July 1st Canada Day Celebrations in Bayfront and Pier 4 Parks on 1996 July 1.
 - (c) That 25 per cent of the gross sales from the concession be deposited to the First Night Hamilton Celebrations account to assist with the fundraising of the event.
-
7. (a) That approval be given to Big Time Productions to host the annual "Music in the City Series" during July and August in the following parks on the dates listed below and subject to the following terms and conditions:

1996 July 5 through August 31

Friday and Saturdays 11:30 o'clock a.m. to 1:30 o'clock p.m., Gore Park

1996 July 7 through August 25

Sundays 2:00 o'clock p.m. to 4:00 o'clock p.m., Sam Lawrence Park

1996 June 16, July 19 and August 14

12 o'clock noon to 2:00 o'clock p.m., Whitehern Gardens; and,

- (i) That proof of insurance be provided in the amount of \$2 million for Comprehensive General Liability, Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the applicant assumes responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That a Special Duty Officer, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (iv) That Big Time Productions enters into a Licence Agreement satisfactory to the City Solicitor; and,
 - (v) That the event be monitored by the Special Events/Festival Advisory Team, with a post-event report back to committee; and,
- (b) That the City co-sponsor the "Music in the City Series" by waiving the park permit fees of \$1,300. for the dates listed in Sub-section (a).

8. That approval be granted to Big "A" Amusement Ltd. to hold a Fundraising Carnival event for the Queenston Parent/Child Drop In Centre on 1996 July 3 to July 7 from 12:00 o'clock noon to 11:00 o'clock p.m., in Parkdale Park, subject to the following terms and conditions:

- (a) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage and Bodily Injury, subject to cross liability and severability provisions, naming the City as additional insured; and,
- (b) That the applicant assume responsibility for all labour-related costs as a result of this event (i.e. set-up, clean-up, dismantling, etc.); and,

- (c) That the terms and conditions be reviewed and monitored by the Special Events/Festivals Advisory Team; and,
 - (d) A site plan of park to be submitted thirty days prior to event.
9. That approval as required be Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, be given to Sesquicentennial Celebrations Inc. and Hands Fireworks Inc. to hold a fireworks display on a barge on 1996 July 12 in conjunction with Aquafest Festival, subject to the following terms and conditions:
- (a) That the Hands Fireworks Inc. licensed fireworks company produce and fire a high level fireworks display; and,
 - (b) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (c) That Sesquicentennial Celebrations Inc. and Hands Fireworks Inc. enter into a Licensing Agreement satisfactory to the City Solicitor; and,
 - (d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (e) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee; and,
 - (f) That the Hamilton Harbour Commission be notified and their regulations be adhered to.
10. (a) That the agreement between the Corporation of the City of Hamilton and Ruth Hrycko (formerly Stefan), to operate the Food and Drink Concession at Globe Park and Gage Park be extended to 1996 September 30, deleting the operation at Gage Park; and,
- (b) That the terms and conditions of the prior agreement remain in effect; and,
 - (c) That the City Solicitor be authorized and directed to have prepared and executed the necessary document; and,

- (d) That the Director of Culture and Recreation be directed to undertake a review of the operation of the concession prior to the 1997 Operating Season.
11. That approval as required by Parks By-law No. 95-126, Section 11 be given to the Caribbean Canadian African Community to sell alcoholic beverages on the occasion of their festival on 1996 August 17 and August 18 in Bayfront Park from 12:00 o'clock noon to 11:00 o'clock p.m., subject to the following terms and conditions:
- (a) That proof of the following insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (b) That all requirements as identified by the Liquor License Board of Ontario are met; and,
 - (c) That alcoholic beverages (beer and wine only) be served in a confined area; and,
 - (d) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,
 - (e) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,
 - (f) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (g) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (h) That a site map, be submitted 30 days prior to the event; and,
 - (i) That the Public Works Departments Street Vendors Program at Bayfront and Pier 4 Parks be allowed to remain open throughout the event; and,
 - (j) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

12. That approval, as required by Section 11 Parks By-Law No. 95-126, be given to the organizations as follows:

(i) Wentworth Adult Mixed Slo-Pitch League - 1996 July 26, July 27 and July 28 - Globe Park; and,

(ii) Parents Without Partners - Chapter 73 - 1996 July 27, July 28, - Turner Park

to sell alcoholic beverages in those locations and on the dates specified subject to the following terms and conditions:

- (a) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (c) That alcoholic beverages be served in a confined and fenced area of the Park; and,
- (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
- (e) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (f) That the Concessionaire at Globe Park (if applicable) be contacted to make the necessary arrangements for the provision of food at that location; and,

- (g) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

13. That approval as required by Parks By-law No. 95-126, Section 23, be given to Sesquicentennial Celebrations Inc. and Big V Drug Stores to tether a hot air balloon, on the occasion of the Amazing Big V Neighbourhood Picnics, 1996 June 9 from 9:00 o'clock a.m. to 6:00 o'clock p.m. be subject to the following terms and conditions:

- (a) That proof of insurance satisfactory to the City Solicitor be provided for Comprehensive General Liability, Property Damage, Bodily Injury, subject to a cross-liability and severability provisions, naming the City as additional insured; and,
- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc); and,
- (c) That a Special Duty Officer, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (d) That Sesquicentennial Celebrations Inc. and Big V Drug Stores enter into a Licence Agreement satisfactory to the City Solicitor; and,
- (e) That the event be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.

14. (a) That approval as required by Parks By-law No. 95-126, Section 11 be given to the North End Children's Centre to sell alcoholic beverages in Eastwood Arena from 12:00 o'clock noon to 10:00 o'clock p.m.; and,

- (b) That approval be granted to North End Children's Centre to locate carnival rides in the south-east corner of Eastwood Park on the occasion of the Rainbow Festival held 1996 July 6 and July 7, subject to the following terms and conditions:
 - (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages be served in the confined area of the arena ice surface with a maximum of 100 seats; and,
 - (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
 - (v) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (vi) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

- 15. That approval as required by Parks By-law No. 95-126, Section 35 and Section 37 be given to Barton General BIA to bring horses and animals into a park on the occasion of the Father's Day - Kid's Day in the Park to be held 1996 June 15 subject to the following terms and conditions:

- (a) That proof of insurance be provided in the amount of \$2 million for Comprehensive General Liability, Property Damage, Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
- 16.
- (a) That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, be given to the Ontario Parks Association Conference Committee to hold a Fireworks Display for the purpose of a training workshop, held at the Public Works Chedoke Yard on 1996 July 17; and,
 - (b) That approval for a two minute low level display of Family Fireworks to be held at Pier 8 on 1996 July 18 at 10:45 o'clock p.m., subject to the following terms and conditions:
 - (i) That the Ontario Parks Association Conference Committee use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (ii) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (iii) That Ontario Parks Association Conference Committee comply with all sections of By-law No. 90-198; and,
 - (iv) That the Ontario Parks Association Conference Committee agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.

17. That staff be authorized to solicit for advertisers in the Fall/Winter Program Guide 1996-97 at the rates listed below:

Profit Organizations:

Full Page	\$1,200.
One Half Page	\$ 650.
One Quarter Page	\$ 350.
One Eighth Page	\$ 200.
Business Card	\$ 100.
Business Listing	\$ 50.

Non-Profit Community Groups:

Full Page	\$ 650.
One Half Page	\$ 350.
One Quarter Page	\$ 200.
One Eighth Page	\$ 100.
Business Card	\$ 50.

Community Association

Listings	\$ 5.
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18. That approval as required by Section 17 (1) and Section 26 of the Fireworks By-law No. 90-198 and Section 11 of the Parks By-law No. 95-126, be given to St. Anthony's Feast Committee to hold a low-level Fireworks Display and serve alcoholic beverages at Ivor Wynne Stadium on 1996 June 16, in conjunction with the annual Feast Celebrations, subject to the following terms and conditions:

- (a) That St. Anthony's Feast Committee use a qualified Fireworks Supervisor to light the fireworks display; and,
- (b) That the St. Anthony's Feast Committee comply with the City of Hamilton Guideline for Special Events - Ivor Wynne Stadium; and,
- (c) That the St. Anthony's Feast Committee assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (d) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, and including Liquor Liability, subject to cross-liability and severability provisions, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to the 1996 June 16; and,
- (e) That the St. Anthony's Feast Committee comply with all sections of Fireworks By-law No. 90-198 and Parks By-law No. 95-126; and,
- (f) That the St. Anthony's Feast Committee adhere to the regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcoholic beverages; and,

- (g) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (h) That the St. Anthony's Feast Committee agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display; and,
- (i) That St. Anthony's Feast Committee enter into a Licensing Agreement satisfactory to the City Solicitor.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Jackson. -1.

CARRIED.

- 19. That the five (5) existing Bikeways Feature Map Signs located at Harvey Park, Beach Boulevard, Tecumseh Street, Gage Park and Churchill Park be replaced with new sign frames and updated Bikeways maps mounted on the signs at a cost of \$10,000. to be funded from Bike Paths/Playscapes - Phase II Account No. CF6287 43001.
- 20. That a purchase order be issued to Graybar Electric (Ontario) Ltd., Hamilton, in the amount of \$150,000., for the supply and delivery of light fixtures and poles as and when required during 1996 for various parks and streets being the lowest of five tenders received in accordance with specifications C15-9-96 issued by the Purchasing Division and Vendor's tender and be financed from Stock Account No. CH56197 60999.
- 21. That the ball diamond permit fees for the Hamilton Olde Sports Association to use Turner Park baseball diamonds be reduced from \$1,760. to a flat fee of \$900. for the 1996 Baseball Season.
- 22. That a purchase order be issued to Romic Enterprises for a total amount of \$34,620. plus applicable taxes for the supply of electronic cash registers at Culture and Recreation facilities within the City, being the lowest of five (5) tenders received and that this expenditure be financed from the Reserve for System Improvements for the Culture and Recreation Department, Account No. 00130.

23. That the Director of Culture and Recreation and the City Solicitor be authorized to enter into negotiations with the Friends of Gage Park Committee to occupy the Concession building at Gage Park for the purposes of operating a food, drink and souvenir concession.

24. ~~DELETED. REPLACED WITH SECTION 31 OF THIS REPORT - SEE PAGE 528.~~

Section 24 LOST on a Recorded vote.

YEAS: Aldermen Kiss, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson. -8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Eisenberger, Collins, D'Amico, Ross. -9. **LOST.**

25. That approval be given to the Bay Area Restoration Council to erect signs at Harvey Park and Bayfront Park which will contain a large print of the Bay Area Access Map.
26. (a) That the revised "Bocci Court Construction and Maintenance - Policies and Procedures (1996)", attached as Appendix "B" be adopted; and,
- (b) That the \$50,000. available in 1996 for Bocci Court development be allocated to the following projects: Victoria Park - \$9,000., Templemead Park - \$11,000., Trieste Bocci - \$11,000., Father Sean O'Sullivan Park (Fred Lombardo Bocci) - \$9,000., Sam Manson Park - \$900., and St. Agnes Park - \$9,100.
27. (a) That approval be granted to develop the T.B. McQuesten Park on Upper Wentworth Street as a Community Park based on an estimated capital cost of \$1.72 million funded from Account No. CF 629254005 (T.B. McQuesten Park Development); and,
- (b) That an open house meeting be held through the offices of the Ward Aldermen to receive public input and finalize the plan, and
- (c) That staff report back to the Parks and Recreation Committee on Sub-section (b).

28. That the amount of \$58,179. be paid to Shedaco Holdings Limited to purchase that company's parkland credit balance of 2,140.51 square metres (0.5289 acres), provided that Shedaco Holdings Limited execute a release in a form satisfactory to the City Solicitor. The cost is to be charged to Account No. CH5X306 00201 (Reserve for Parklands).
29.
 - (a) That approval be given to enter into a contract with STF Construction Ltd, 148 Stapleton Avenue, Hamilton as the General Contractor for the Dundurn Castle Phase II, Stables, Conference Centre and Restaurant Conversion. The Contract amount will be Six Hundred and Forty Nine Thousand and Nine Hundred and Thirty Five (649,935.) plus applicable GST to a total of Six Hundred and Ninety Five Thousand and Four Hundred and Thirty (\$695,430.); and,
 - (b) That the work be financed from Account Nos. CF 719441022 (Dundurn Castle Phase II, available balance \$530,000.) and CF 329341009 (Barrier Free, Recreation Buildings, \$75,000. designated for Dundurn Castle); and,
 - (c) That the reroofing of the stables building at Dundurn Castle in the estimated amount of \$57,275 be financed from Account No. CF 319641023 (Building Operations and Maintenance) which was previously allocated for the reroofing of the original billiard room and bowling alley of the 1870 wing in Dundurn Castle to coordinate the reroofing with the conversion of the stables building; and, **REPLACED.**
 - (d) That staff be authorized to begin post-tender addenda negotiations in an effort to reduce the construction cost by investigating alternatives in materials and methods with the General Contractor, and report back to Committee; and,
 - (e) That staff be authorized to carry a project contingency of \$ 13,203. including GST (the remaining funds in the capital account) and other savings resulting from Sub-section (d), to be spent for unforeseen circumstances as authorized by the Director of the Culture and Recreation; and,
 - (f) That a contract satisfactory to the City Solicitor be entered into between the City and the General Contractor; and,
 - (g) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
30.
 - (a) That the revised Park Expenditure Policies as outlined in Appendix "C" attached hereto, be adopted; and,
 - (b) That the Parks Staff Committee be directed to investigate new zoning districts for parks.

31. (a) That the Director of Culture and Recreation be authorized to renegotiate the contracts, satisfactory to the City Solicitor, with the Concessionaires to permit the sale of alcohol from halfway houses during the 1996 Golf Season on a trial basis in accordance with Provincial statutes and on the understanding that the City of Hamilton will be cross-insured and indemnified by the Concessionaires; and
- (b) That the Director of Culture and Recreation report back to the Committee by year end on the results of this initiative. **ADDED**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Eisenberger, Collins, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson. -8. **CARRIED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 May 21

FRIENDS OF THE HAMILTON CHILDREN'S MUSEUM

BY-LAWS

I. MEMBERSHIP

A. There shall be seven (7) categories of membership in the Friends:

1. **Family** - available to families upon an annual fee of \$20.00. This entitles members to participate in the activities of the Friends and provide free admission to the museum for their children.
2. **Individual Adult** - upon payment of an annual fee of \$10.00, available to adults who wish to be members of the Friends, but do not use the museum.
3. **Caregivers** - upon payment of an annual fee of \$30.00, available to those who generally care for children in their own home. This entitles them to free admission for up to 5 children per visit, Tuesday to Friday advance bookings only.
4. **Honourary Membership** - available to individuals who may be proposed by members of the Friends, in writing, to the Executive for consideration. Recommendations for Honourary Membership shall be brought, by the Executive, before a General Meeting of the Friends for approval by vote.
5. **Sustaining** - any person(s) making an annual contribution of \$20.00, or more, beyond the cost of their membership, shall be designated a sustaining member. Tax receipts will be issued according to Section II, Finances.
6. **Corporate Sponsor** - upon a donation of \$100.00 or more, any organization or corporation shall be designated a corporate sponsor. Tax receipts will be issued according to Section II, Finances.
7. **Corporate Friend** - any organization or corporation providing goods and services with a value of \$25.00 or more, or regular discounts, to Friends of the Hamilton Children's Museum, shall be designated a Corporate Friend.

*** All categories of membership shall be entitled to advance notice of special events and activities, discounts on merchandise of the Friends (upon presentation of membership card), and representation at general meetings of the Friends of the Hamilton Children's Museum.**

- B. Financial contributions - from members shall be recognized after payment of the appropriate annual dues. Additional financial donations beyond the membership fee are welcome.
- C. All memberships are for a 12 month period from the date of issuance. Membership fees are due within 30 days of expiry.
- D. All categories of membership in Section A above shall be entitled to full voting privileges of one vote per membership.
- E. A member of the Friends may resign at any time, but no refund of fees shall be made.
- F. Memberships are non-transferable.

II. FINANCES

A. Friends' Account

- 1. The Friends shall be financially self-supporting. Operating funds for the Friends are to be generated from membership dues, contributions specified by the donor for operating expenses, and other fundraising ventures undertaken by the Friends.
- 2. Operating funds for the Friends shall be kept in a bank account separate from The Children's Museum Trust Account (see below).
- 3. i) **Expenditures, over \$20.00, from the Friends' Account shall require the appropriate signing authorities, as in III D 3.**
 - ii) **No expenditures or financial commitments, over \$100.00, shall be made by any member of the Executive, without the prior approval of a quorum of the Executive.**
 - iii) **All expenditures shall be accompanied by an invoice or receipt.**
- 4. **As free admission is one of the benefits of family and caregiver memberships, the museum shall be reimbursed \$10.00, from each family and \$15.00 from each caregiver membership sold, to cover a fee for admission.**

B. Trust Account

- 1. **An accurate record shall be kept of all monies received by the Friends in accordance with generally accepted accounting principles.**

2. Donations given to the Friends in excess of the membership fee and not specified for operating expenses of the Friends shall be deposited in the Trust Account.
 3. i) Donations of \$20.00 or more to the Children's Museum Trust Account shall be issued tax receipts by the Corporation of the City of Hamilton.
ii) Income tax receipts cannot be issued for membership fees and operating expense donations to the Friends.
 4. Expenditures from the Trust Account must have prior approval from the Friends of the Hamilton Children's Museum, the Hamilton Historical Board and Parks and Recreation Committee.
 5. All deposits to The Hamilton Children's Trust Account will be made by the Curator.
 6. Expenditures from the Trust Account, with prior approval from the committees as mentioned in B 1, will be the responsibility of City staff.
- C. Fiscal Year
1. The fiscal year shall be January 1 to December 31. An annual financial statement shall be submitted to the next Annual General Meeting for approval and, once approved, to the Hamilton Historical Board.
- D. Operations
1. The Executive, in co-operation with staff, shall prepare an Annual Work Plan and Budget for approval by the Membership, at the general meeting, and subsequently, by the Hamilton Historical Board and Parks and Recreation Committee.
 2. Financial Reports - shall be approved monthly by the Executive. Quarterly reports shall be approved by the Hamilton Historical Board and Parks and Recreation Committee, and a full Financial Statement written annually to the Friends for presentation at the general meeting.
- E. 1. The President, Treasurer and Vice-President shall have signing authority for all cheques written on the Operating Account of the Friends of the Children's Museum. Two signatures, one which must be the Treasurer, are required for all cheques.

III DUTIES OF OFFICERS OF THE FRIENDS

- A. PRESIDENT: is the Chief Executive Officer of the Friends and shall preside at all meetings. The President shall report annually on the activities of the Friends at the Annual General Meeting, and may appoint members to committees and delegates not otherwise provided for in the By-laws. The President is an ex-officio member of all committees. The President shall have co-signing authority with the Treasurer for all cheques issued by the Friends.
- B. VICE-PRESIDENT: shall also have signing authority with the Treasurer for all cheques issued by the Friends and shall assume the duties of the President in the event of the absence, incapacity or resignation of the President, and shall assist the President in preparing the Work Plan for the Executive and subsequent approval by the membership.
- C. SECRETARY
1. shall keep the Minutes of meetings of the Friends, and co-ordinate mailings, as required.
- D. TREASURER
1. shall be responsible for the safe-keeping of operating monies, and shall prepare regular monthly reports for the Executive; quarterly reports for the Hamilton Historical Board; and an annual financial statement for the Friends.
 2. The Treasurer shall deposit all operating monies received into a bank account approved by the Executive and turn over all monies for the Trust Account to the Curator of the Hamilton Children's Museum.
 3. Monies for operating expenses shall be paid out by numbered cheques signed by the Treasurer and the President and/or Vice-President. The Treasurer shall obtain the approval of the Executive Committee for all disbursements in excess of \$100.00.
 4. The Treasurer shall assist the President and Vice-President in preparing the Budget for the Work Plan.
- E. PAST PRESIDENT - shall attend all meetings of the Executive and assist the President in learning their role and responsibilities, and shall chair the Nominating Committee, and wherever possible assist in carrying out the current activities of the Executive.

- F. MEMBERS AT LARGE - shall attend all meetings of the Executive Committee and all General meetings and shall assume roles and responsibilities agreed upon by the Executive and/or by the Membership at general meeting.

Note: In the event that a Member of the Executive is unable to complete their term of office the Executive Committee shall, by majority vote, select an interim replacement to assume the duties for the remainder of the term.

G. STAFF

1. The Curator or designate of the Hamilton Children's Museum will act as an ex-officio, non-voting member of the Friends, and its committees of the Friends and provide information and guidance on City and Museum policies and procedures. The Curator, or designate may attend regular meetings of the Executive and General Meetings of the Membership.
2. The Manager of Cultural Services or designate, an ex-officio, non-voting member of the Friends, shall assist the Executive of the Friends by providing information and guidance at the Departmental and Municipal level. Where necessary, the Manager may assist the Executive in providing administrative assistance.

- H. Hamilton Historical Board Representative - shall attend all meetings of the executive committee and act as a liaison with the Hamilton Historical Board.

IV MEETINGS

- A. GENERAL MEETING - of the Friends, of which there shall be at least one in every calendar year, shall be held on dates and in places to be determined by the Executive Committee.
- B. THE ANNUAL GENERAL MEETING - of the Friends shall be held in the month of April each year, unless otherwise designated by the Executive Committee.
- C. NOTICE OF MEETING - will be mailed to all members at least thirty (30) days in advance (where possible) of each special, general or annual meeting of the Friends.
- D. A QUORUM - shall be reached when 10% of all voting members, in good standing 30 days prior to any meeting, are present for that meeting requiring the attendance of the general membership of the Friends.
- E. MEETING OF THE EXECUTIVE - regular meetings shall be at a time and place agreed upon by the majority of the Executive Committee. The majority of voting

executive members present shall constitute a quorum. Special meetings, including committee meetings, shall be at the call of the President or their designated chair. In all cases the President or Chair shall cast the deciding vote in the event of a tie.

- F. In between regular meetings, the Officers of the Friends shall carry out the business of the Friends, as specified in the Work Plan.

V COMMITTEES

- A. The Friends shall have the following Standing Committees:

1. EXECUTIVE COMMITTEE - consisting of 12 officers which would be the President, Past President, Vice-President, Secretary, Treasurer, Hamilton Historical Board representative, and 6 members at large (portfolios could include newsletter editor, community liaison, etc.).

Responsible for:

- setting the date, time, and place of all meetings of the general membership and for preparing the Agenda of any such meeting, and
- recommending amendments and revisions to the Constitution and By-laws at the Annual General Meeting,
- carrying out the Objectives and Work Plan approved by the Friends,
- appointing members to Ad Hoc or Standing Committees, Chairs of committees will normally be drawn from members of the Executive Committee.

2. MEMBERSHIP COMMITTEE - The committee is responsible for working with other committees to encourage new members to join the Friends. Working in co-operation with museum staff to maintain an up-to-date list of members and their respective categories, the Chair shall report regularly to the Executive and annually, in writing to the Friends. Membership in this committee may include individuals from the general membership.

3. NOMINATING COMMITTEE - This committee, chaired by the Past-President, is responsible for making nominations for Officers to present at the Annual General Meeting. Individuals from the general membership may also be nominated from the floor at the Annual General Meeting.

4. OTHER STANDING COMMITTEES may be established at the Annual General Meeting by vote. Proposals must be written and may be made either by the Executive Committee or by member in good standing to the Executive Committee at least 30 days prior to the Annual Meeting.

- B. AD HOC COMMITTEES may be established by the Executive at any time, as the need arises.
- C. All Committees shall report to each meeting of the general membership, with the exception of the Nominating Committee. All Committees shall report monthly to the Executive Committee.

Revised 1996 March 13

Appendix "B" as referred to in
Section 26 of the Seventh Report
of the Parks and Recreation
Committee for 1996

BOCCI COURT CONSTRUCTION AND MAINTENANCE POLICIES AND PROCEDURES

(May 1996)

- Policy:** That the development and after-care maintenance of bocci court facilities be administered and undertaken by the Parks Division of the Department of Public Works and Traffic.
- Procedure:** The proponent group/association shall initiate discussions with the Parks Division relative to the development or improvements to Bocci Court facilities. Dependent upon budgetary constraints, development of new facilities/enhancements to existing facilities will be scheduled on a first come first serve basis and construction may proceed where funding is available. Staff will convene a meeting following the approval of the capital budget to which all associations would be invited to discuss the allocations of funds amongst the associations.
- Parks Division staff will co-ordinate meetings between the individual associations as required to discuss the detail plans for proposed developments/improvements.
- The bocci associations shall undertake to maintain the bocci courts including weeding, litter pick-up, court levelling, using material provided by the City, i.e. maglime, litter containers, rakes and shovels.
- Policy:** That the proponent user groups/associations be required to cost share in the construction of ancillary items and additional courts (beyond the basic components provided by the City) in the amount of 25% proponent group/75% City, subject to availability of funding and based on requests and agreed to by affected parties.
- Procedure:** Based on the design details agreed upon by the proponent user groups/associations and City staff, all construction will be undertaken by the Parks Division. The proponent group will be provided with a written quotation from the City prior to proceeding with the construction. As per City policy, the proponent group will be required to forward their portion of the cost to the City prior to work proceeding.
- Policy:** That the construction of permanent storage buildings, meeting rooms, washrooms, and sun shelters are beyond the funding level and are therefore subject to submission as individual capital projects.
- Procedure:** Since the development of permanent structures are estimated to cost above \$50,000. per site and beyond the funding level of this program, a separate capital funding request subject to the capital budget procedure is required. The Department of Culture & Recreation, in consultation with the Parks Division, shall co-ordinate and make the necessary submissions for this additional funding.
- Policy:** That wherever possible the development of new bocci court facilities be limited to municipally owned park locations, pursuant to the approved 1991 edition of the Parks Expenditure Policies.
- Procedures:** To overcome jurisdictional conflicts relative to maintenance, liability, programming and ownership, the use of Board of Education property for park related purposes other than passive activity should be limited. City staff will work closely with the proponent user group to identify alternate park locations and select a preferred site to the material satisfaction of all parties.

WJP/ps

Appendix "C" as referred to
in Section 30 of the Seventh Report
of the Parks and Recreation
for 1996

PARK EXPENDITURE POLICIES

Introduction:

The purpose of this document is to outline the City of Hamilton's policies for the acquisition, sale and development of parkland. This document includes policies for the financing of park acquisition; the means for determining park needs and deficiencies; the establishment of acquisition priorities; the sale of surplus parkland; and the development of parks.

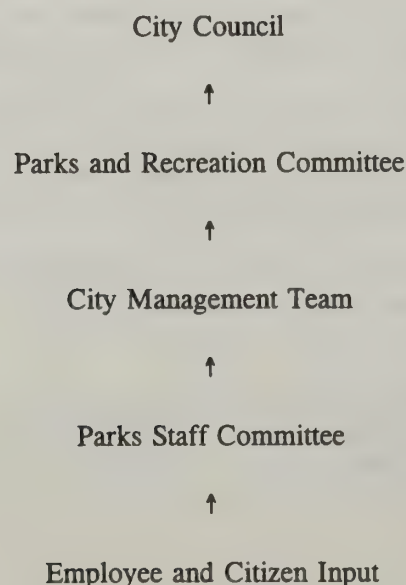
This is the fourth update of the Park Expenditure Policies since being adopted by Council. A substantial review has been undertaken of the funding and acquisition priorities for parks in the City of Hamilton. New policies have been established to ensure that the City's funding and acquisition of parks balance the availability of funds with the community priorities for parkland acquisition.

Background:

This document has been prepared by the members of the Parks Staff Committee (staff from the Departments of Culture and Recreation, Planning and Development, Public Works and Traffic, Property and Treasury) with input from the Capital Budget Sub-Committee.

Within the guidelines of the Park Expenditure Policies, the Parks Staff Committee reviews proposed neighbourhood plans, priorities for improvement areas, acquisition and sale of park properties, park development projects and parks related studies. With park expenditure matters crossing the mandate of many departments and Committees of Council, the multi-disciplinary representation on this committee ensures a broad based perspective when forwarding recommendations to Council.

Parks Staff Committee - Reporting Structure



This document provides the background information and policies required to manage park expenditures. For convenience, expenditure matters and the resultant policies have been documented under the following categories.

1. Funding for Parks
2. Identifying Park Needs and Deficiencies for Neighbourhoods
3. Parkland Acquisition Priorities and Sale of Surplus Parkland
4. Park Development

FUNDING FOR PARKS

Purpose:

The City of Hamilton funds parkland acquisition in three ways: through the 5% parkland dedication fund; through the City's Capital Budget; and through Development Charges. Each funding source is described in the following sections.

5% Parkland Dedication

Residential developers are required to dedicate 5% of the land in each development area, for parks purposes or cash-in-lieu of land dedication. This dedication scheme ensures an adequate parkland base in each newly developed Neighbourhood. In the 1950's, Hamilton embarked on a bold programme of assembling parkland at the centre of many of the undeveloped neighbourhoods on the mountain. Today, the City is benefiting from these actions as developing neighbourhoods generally have sufficient parkland and residential developers pay cash-in-lieu to the City.

These funds are transferred into the 5% Park Dedication Fund and are used primarily for expenditures on parkland acquisition in areas which are deficient according to City Standards. These funds, according to the Planning Act, may also be used for the development and maintenance of parkland and for other matters relating to parks such as studies and master plans.

Capital Budget

Hamilton City Council has established an annual capital budget parkland acquisition budget in the amount of one million dollars. These funds are used, along with the other funding sources for parkland, for acquisition of identified parkland.

Development Charges

Development Charges are, in essence, a similar programme to the 5% Park Dedication. Both programmes charge a fee for development and while the 5% Park Dedication is 100% park and recreation oriented only a portion of the Development Charges are intended for parks purposes.

The first Development Charges By-law for the City of Hamilton was established in 1989. Under that By-law, approximately \$900,000 was collected for park purposes. In September of 1995, Hamilton City Council adopted the new Development Charges By-law as an update of the initial Development Charges Study was completed. The new Development Charges By-law established a contribution for parkland purposes for residential development.

Policies:

1. (New) That Capital Funds in the Parkland Reserve Capital Budget which are not expended in one fiscal year be carried into a reserve for parkland available for expenditure in subsequent years.
 - *The availability of property for acquisition for parks purposes varies by year. Carrying over the unexpended capital funds from year to year will ensure that the park funds are available for acquisition when properties are available for purchase.*
 - *Implementation: Parks Staff Committee and Treasury Department*
2. That the prime directive for managing the parkland funds is to ensure that sufficient monies are available for acquiring parkland such that the long range acquisition programme for attaining the City's standards for park space in each neighbourhood keeps pace with the development of new neighbourhoods.
 - *In order to achieve this directive, the funding levels available for the subordinate activities which draw upon this fund, such as development, and other park related matters, must be monitored annually and will remain dependent upon maintaining sufficient funds for acquisition.*
 - *Implementation: Parks Staff Committee*
3. That the 5% Fund be compensated, at current market value, through direct payment or by means of a credit system, when established parklands are used for the development of non-recreational public facilities within park boundaries.
 - *This programme of balancing payments for the loss of parkland through non- recreational facility development recognizes the value of greenspace and is essential to maintaining the funds necessary for sustaining a desired inventory of parkland. The benefits include an ability to replace City greenspace lost to non- recreational facility development and to lessen the attraction which parkland often has for non recreational facility development. This attraction is due to the notion that using City owned parkland for non recreational facility sites results in a cost savings to the Citizens of Hamilton.*
 - *Implementation: Property Department*
4. That the City not use the 5% Fund for parkland maintenance.
 - *Parkland maintenance funding is advanced through the current budget system. Requests for increases in maintenance funds resulting from new park developments are forwarded simultaneously with the development proposal funding request.*

This action advises Council of the maintenance implications prior to capital development initiation.

- *Implementation:* *Parks Staff Committee*

5. That money from the 5% Fund be used, when approved by Council, for funding park related studies.

- *Funding park and recreation related studies from the 5% Fund has been approved in past years, such as the Park and Open Space Master Plan. Additional studies may be required to complement existing research, towards the need and location for future major facilities.*

- *Implementation:* *Parks Staff Committee*

6. That the 5% Fund, the Capital Budget, and the Development Charges for Parkland be used for parks which are designated for neighbourhood, community, or City-wide use and that expenditures on parks of a regional significance, be funded from other sources, preferably a Regional or Provincial Agency.

- *The 5% Fund cannot be stretched to include parks of Regional significance and it is appropriate that the municipal tax base or a Regional or Provincial Authority be responsible for acquisition and development of such parks.*

- *Implementation:* *Parks Staff Committee*

7. That revenues realized from the sales of City-owned land designated for park and open space be paid back into the 5% Fund.

- *Past expenditures on parks should be channelled back into parks when parkland is no longer needed.*

- *Implementation:* *Parks Staff Committee, Property and Treasury Departments*

8. That, for the purpose of implementing Provincial subsidy programmes and maximizing allocations, applications will be made yearly to the Ministry of Municipal Affairs for the next priority neighbourhood/Community Improvement Project Area.

- *The City's Capital Budget has made provisions for community improvement project areas. Application for provincial funding will offset the City's cost for parkland development under these programs.*

- *Implementation:* *Public Works and Traffic Department*

IDENTIFYING PARK NEEDS AND PARK DEFICIENCIES

Purpose:

The intent of this section is to establish the process the City uses for determining parkland needs for each of Hamilton's Neighbourhoods. Parkland needs are determined from the standards set out in Section C.1.1 of the City's Official Plan and are based on neighbourhood population. These standards are applied on a neighbourhood basis. The parkland needs for each neighbourhood are determined for neighbourhood and community parks only; City-wide parks and Metropolitan parks serve a broad area beyond the local community and have not been included in the calculations of needs and deficiencies. The following table is extracted from the City's Official Plan and is the basis for the standards used in determining parkland area requirements for each neighbourhood.

<u>PARKLAND HIERARCHY</u>	<u>PARKLAND OBJECTIVE 1,000 POPULATION SERVED (HECTARES)</u>	<u>SERVICE RADIUS OBJECTIVE (KILOMETRES)</u>
Neighbourhood Park	Not less than 0.5	Not more than 0.8
Community Park	Not less than 0.5	Not more than 1.6
City-wide Park	Not less than 1.9	No maximum
Metropolitan Park	No minimum	No maximum
	Total	
	2.9+	

The City's Official Plan also provides for reduction in the required parkland for the following mitigating circumstances:

- the neighbourhood and community parks are combined (20% reduction in required parkland);
- the neighbourhood/community park is adjacent to a school with a grassed area (up to 20% reduction in required parkland);
- surplus school property in the neighbourhood (as determined by Policy C.1.1.2 of the City of Hamilton Official Plan) will be used to reduce the required parkland;
- open space within the neighbourhood or adjoining neighbourhood will reduce the required parkland (5-10% depending on the amount of open space);
- the availability of large-scale park facilities in the neighbourhood or adjoining neighbourhoods will reduce the required parkland (reduction depends on proximity to large-scale park - 5-20% reduction).

Parkland deficiencies are determined by subtracting the existing/proposed parkland from the parkland need. The complete list of required parkland and the parkland deficiencies can be found in Appendix "A" of this report.

Policies:

1. (New) That the parkland needs and deficiencies be reviewed every three years when the municipal assessment population figures are released.
 - *Implementation: Parks Staff Committee*
2. That parkland be designated in neighbourhood plans having regard for the City Official Plan standards.
 - *This will assist the City in fulfilling a parkland acquisition programme pursuant to Official Plan standards throughout the City.*
 - *Implementation: Planning and Development Department*
3. (New) That newly created and revised neighbourhood plans include recommendations for the establishment of necessary capital budget funding for the acquisition and development of the designated parkland.
 - *This policy will ensure that adequate funding is available through the Capital Budget for the acquisition and development of parks in new/revised neighbourhood plans.*
 - *Implementation: Planning and Development Department*

PARKLAND ACQUISITION AND SALE OF SURPLUS PARKLAND

Purpose:

These policies form the guidelines for managing the acquisition and sale of lands towards achieving the City's standards in parkland.

The acquisition of parkland is the most essential element in guaranteeing the future access of Hamilton's citizens to open space. The provision of parkland/open space is fundamental in the quality of life for the residents of this City and as a result, land acquisition is represented as the major priority in park expenditures.

Background:

The review of parkland needs and deficiencies has shown that there are thirty-nine neighbourhoods in the City of Hamilton with deficiencies in required parkland. In reviewing these neighbourhoods and the parkland deficiencies, four categories of acquisition priorities for neighbourhoods have been established. A fifth category has also been established which addresses acquisitions which have not been previously identified but which Council determines should be acquired for public purposes.

The following are the acquisition priorities, by category, with an explanation of each.

- Priority "A": Those neighbourhoods for which there is a Council approved neighbourhood plan identifying land for acquisition for parks purposes.
- Priority "B": Those neighbourhoods for which there is an identified deficiency in parkland (greater than one hectare in size); there is either no neighbourhood plan or no land identified for acquisition on the approved neighbourhood plan.
- Priority "C": Those neighbourhoods for which the parkland deficiency is less than one hectare in size. The lifecycle of a neighbourhood influences the population (on which the parkland standard is based). In general, as young families with children move in, the population rises. As the children age and move out, the population decreases. The historical review of population trends in neighbourhoods shows that the decline in population, through the lifecycle, is up to 1,000 persons. The lifecycle changes imply that those neighbourhoods that are within 1.0 hectares (for 1,000 persons) of their parkland standard are generally meeting the City's standards.
- Priority "D": Those properties which are currently used for City park purposes but are not owned by the City.
- Priority "E": Those properties/buildings which, in the opinion of Council, are worthy of acquisition for public park purposes.

Priority Lists "A" through "D" are found in Appendix B, along with the estimated cost of acquisition.

Policies:

1. (New) Parkland acquisitions will be recommended to Council from the priority lists with the Priority "A" list being the highest priority.
 - *Implementation:* *Parks Staff Committee*
2. (New) The City will actively pursue acquisition of those lands on the Priority "A" list.
 - *The properties designated for acquisition on the Priority "A" list represent those properties designated on neighbourhood plans for park purposes. The Priority "A" list includes those properties that will complete the implementation of the parks policies of the respective neighbourhood plans. Active pursuit of these properties for acquisition will finalize the park development for the neighbourhood; in the longer term, the City will be able to focus on other neighbourhoods for parkland acquisition.*
 - *Implementation:* *Parks Staff Committee*
3. (New) The City will acquire land designated for park purposes on the approved neighbourhood plan.
 - *The neighbourhood plans adopted by Hamilton City Council establish the location and area of parks within a neighbourhood. Neighbourhood plans are prepared with extensive public consultation and input; they represent the consensus of the community on land use. Accordingly, those lands designated for park purposes on neighbourhood plans should be the acquisition for parkland within a given neighbourhood.*
 - *Implementation:* *Parks Staff Committee*
4. (New) Priority "D" acquisitions shall be brought forward to Council for a decision on whether or not the City should purchase the property when the agency which owns the property declares the property surplus.
 - *Acquisition priorities may change depending on the circumstances surrounding individual properties. Where an acquisition that is not on the Priority "A" list is available for purchase, a review of the implications of purchasing the property vis-a-vis opportunities for purchase of other priority properties will be completed. The recommendation to Council on acquisition will review the implications of such purchases.*
 - *Implementation:* *Parks Staff Committee*

5. (New) It is recognized that neighbourhoods with combined community and neighbourhood parks may have fulfilled the requirements of the Official Plan in terms of required parkland. However, in those instances where there is no neighbourhood component to the combined park, and no opportunity to provide neighbourhood park facilities in the combined park, opportunities for land acquisition to provide neighbourhood park facilities will be examined.
- *It is the City's practice to combine neighbourhood and community park facilities to allow a broader range of park and recreational facilities to be provided for the community. However, it must be recognized that some of these combined parks do not address the neighbourhood park programming needs (e.g. passive park component, play structures for younger children). In order to ensure that neighbourhood park facilities can be safely provided within a neighbourhood, the combined park will be evaluated to determine whether the neighbourhood component can be addressed. Only in those instances where the neighbourhood component cannot be safely provided in the combined park will other opportunities for providing a neighbourhood park be examined.*
 - *Implementation: Parks Staff Committee*
6. That the City sell areas of land acquired for parks purposes if after intensive review there is deemed to be no further need for the land for parks or other municipal purposes.
- *The sale of City lands acquired for parks, but no longer needed for parks, will release capital for other parks expenditures. The Parks and Recreation Committee will consider possible sales.*
 - *Implementation: Parks Staff Committee and the Property Department*
7. School land used for parks purposes shall be limited to passive, open space, wherever possible, and that joint use guidelines be developed by the Parks Staff Committee in conjunction with the Public and Separate School Boards to ensure mutually beneficial relationships. The City and the respective School Board shall enter into a written agreement in regards to these lands.
- *This will reduce the amount of physical development, ie. play structures, sports fields, undertaken on Board of Education property, thus minimizing jurisdictional conflicts associated with maintenance, liability, programming.*
 - *Implementation: Parks Staff Committee*
8. Wherever possible, properties that are acquired, but not yet needed for park purposes, should be used to their maximum potential. Houses should be leased out unless the condition of the property does not merit fixing, in which case the property should be demolished. Buildings including residential, commercial and industrial sites should be leased on a short-term basis.

- *This is good business management, prevents the area from deteriorating and provides affordable housing and business space.*
- *Implementation: Property Department*

PARK DEVELOPMENT

Purpose:

The intent of these policies is in part, to provide the guidelines within which parkland development can proceed in a coordinated fashion.

Background:

Parkland development is divided into two basic categories: new park development and park re-development projects. The demand for new park development is fairly consistent with the pace of new residential development within the City. As new neighbourhoods develop, residents require access to greenspace lands for active and passive recreation. The demand for safe play areas is acute during the construction of new neighbourhoods. Park re-development becomes necessary as parks become older and outdated. Changing trends and preferences, as well as changes in demographics and the inevitable fatigue in park amenities all lead to the need for park re-development projects.

Policies

1. That park development and re-development projects be funded on a priority basis taking into account the classification of the site, according to the following table.

Parkland Development and Re-development Funding Priority - by classification

First Priority	• Neighbourhood Parks, Parkettes
Second Priority	Community Parks
Third Priority	City-wide Parks

- *Park Development at the neighbourhood level is a first priority due to the significant role within this City of the neighbourhood park. These sites are first and foremost in meeting the needs of Hamilton's citizens for recreational greenspace.*
- *Implementation: Public Works and Traffic Department*

2. (New) Park development and re-development projects shall incorporate public input into the planning process only after funding has been approved for implementation within the following one to three year period.

- *Public input during the planning of park development projects is a necessity. Encouraging the communication of public concerns and ideas and a reflection of this input in the park development proposals can have positive results in the outcome of any development project.*

- *Through the office of the Ward Aldermen, the formation of Neighbourhood Park Committees should be encouraged for all neighbourhood park new developments to facilitate the input of public concerns.*

Public input towards Community and City level park development and re-development projects should be encouraged in a fashion which reflects the interests of the residents of the City "at large."

- *Implementation: Public Works and Traffic and Culture and Recreation Departments at the request of the Ward Aldermen.*

3. Each recommendation for park development or redevelopment shall include a statement of the relevant maintenance costs be forwarded for inclusion in the current budget.

- *This policy will ensure that the full maintenance implications of each park development project are known when decisions to develop each park are made and that the financial amendments are then reflected in the appropriate current budget account.*

- *Implementation: Public Works and Traffic Department*

4. That vacant, undeveloped parks be seeded and maintained.

- *Vacant sites to be used for parks in the future can become an eyesore and degrade a neighbourhood. Seeding, which is not costly and improves appearance, provides an area which can be used. The maintenance costs may be little more than continually clearing debris from the site. Complaints from neighbours are less likely.*

- *Implementation: Public Works and Traffic Department*

5. (New) For the dedication of parkland, the area shall be graded to a grading plan prepared by the City, covered with six (6) inches of shredded topsoil and seeded as a condition of draft subdivision approval. Water, storm/sanitary sewer and hydro services be brought to the property boundary and stubbed for future park development.

- *Implementation: Planning and Development and Public Works and Traffic Departments*

6. A ceiling shall be placed upon park development project funding from the 5% park dedication fund as follows:

- A. An annual limit of \$200,000.00 for play equipment.

B. An annual limit of \$1,200,000.00 for overall park development and re-development.

C. (New) A maximum limit of \$300,000.00 be established per park site for development or redevelopment.

- *These funding levels are subordinate to the need to fund parkland acquisitions.*
- *Funding for development, in excess of this amount will jeopardize the fiscal management programme for the 5% Fund and therefore, should be forwarded through the capital budget process using funds outside of the 5% fund.*
- *Implementation: Parks Staff Committee, Culture and Recreation and Public Works and Traffic Departments*

APPENDIX "A"

SUMMARY OF PARK DEFICIENCIES (ha)

Ward	Neighbourhood	Pop. (1994)	Exist.	Req.	1	2	3	4	5	6	Shortfall
1	Ainslie Wood	555	4.29	0.56	--	--	--	--	--	--	0
	Ainslie Wood East*	2924	2.14	2.92	--	--	--	--	--	--	0
	Ainslie Wood North	770	0	0.77	No	No	No	0.04	No	No	0.73
	Ainslie Wood West	4494	0	4.49	No	No	No	0.30	No	No	4.19
	Chedoke Park A-B	4	0	0	--	--	--	--	--	--	0
	Cootes Paradise A-B*	2894	0	2.89	--	--	--	--	--	--	0
	Dundurn A-C	0	0	0	--	--	--	--	--	--	0
	Kirkendall North	5761	4.54	5.76	0.60	No	No	No	Maybe	No	0.62
	Kirkendall South	2793	5.15	2.79	--	--	--	--	--	--	0
	Strathcona	7282	21.88	7.28	--	--	--	--	--	--	0
	Westdale North	2280	2.34	2.28	--	--	--	--	--	--	0
	Westdale South*	4867	0.10	4.87	--	--	--	--	--	--	0
2	Beasley	5407	1.69	5.41	0.54	No	No	No	Maybe	No	3.18
	Central	3563	2.84	3.56	No	No	2.43	No	Maybe	Yes	0
	Corktown	6325	1.48	6.33	No	No	No	No	Yes	No	4.85
	Durand	10706	0.66	10.71	No	No	No	No	Maybe	0.54	9.51
	North End East	4101	6.30	4.10	--	--	--	--	--	--	0
	North End West*	1624	0.81	1.62	--	--	--	--	--	--	0
	Stinson	4147	1.34	4.15	No	No	No	No	No	No	2.81
3	Blakely	3036	0.11	3.04	No	No	No	No	No	0.30	2.63
	Crown Point West	6539	0.88	6.54	No	No	No	No	Maybe	0.65	5.01
	Delta West*	2123	0.16	2.12	--	--	--	--	--	--	0
	Gibson	7640	2.99	7.64	No	0.76	No	No	Maybe	No	3.89
	Industrial Sector A Keith	1404	0.73	1.40	No	No	No	No	Maybe	No	0.67
	Industrial Sector B	350	0	0.35	No	No	No	No	Maybe	No	0.35
	Industrial Sector C	313	0	0.31	No	No	No	No	Maybe	No	0.31
	Industrial Sector D	749	0.09	0.75	No	No	No	No	Yes	No	0.66
	Industrial Sector M	0	0	0	--	--	--	--	--	--	0
	Industrial Sector N	0	0	0	--	--	--	--	--	--	0
	Landsdale	8213	1.52	8.21	No	No	No	No	Limited	No	6.69
	St. Clair	2985	0.36	2.99	No	No	No	No	Maybe	No	2.63
	Stipeley	6251	2.54	6.25	0.63	No	No	No	Limited	0.31	2.77
4	Bartonville	3571	4.98	3.57	--	--	--	--	--	--	0
	Crown Point East	5295	0.70	5.30	No	No	No	0.26	Limited	0.26	4.08
	Delta East	4262	0	4.26	No	No	1.44	No	No	0.21	2.61
	Glenview East	974	6.16	0.97	--	--	--	--	--	--	0
	Glenview West	2057	0.14	2.06	No	No	1.65	0.10	No	No	0.17
	Homeside	6087	0.73	6.09	No	No	No	0.30	Limited	0.30	4.76
	Industrial Sector E McAnulty**	898	0.73	0.90	--	--	--	--	--	--	0
	Industrial Sector F	56	0	0	--	--	--	--	--	--	0
	Industrial Sector G	0	0	0	--	--	--	--	--	--	0
	Industrial Sector H	0	0	0	--	--	--	--	--	--	0
	Industrial Sector J	0	0	0	--	--	--	--	--	--	0
	Industrial Sector K	0	0	0	--	--	--	--	--	--	0
	Industrial Sector L	0	0	0	--	--	--	--	--	--	0
	McQuesten East	1102	6.94	1.10	--	--	--	--	--	--	0

SUMMARY OF PARK DEFICIENCIES (ha)

Ward	Neighbourhood	Pop. (1994)	Exist.	Req.	1	2	3	4	5	6	Shortfall
5	McQuesten West*	6087	2.32	6.09	--	--	--	--	--	--	0
	Normanhurst	3289	8.23	3.29	--	--	--	--	--	--	0
	Parkview East*	706	0	0.71	--	--	--	--	--	--	0
	Parkview West	1632	3.25	1.63	--	--	--	--	--	--	0
	Confederation Park A-B*	102	0	0.10	--	--	--	--	--	--	0
	Corman	3536	1.97	3.54	No	0.70	No	0.35	Limited	0.17	0.35
	Gershome	1900	3.02	1.90	--	--	--	--	--	--	0
	Grayside	20	0	0	--	--	--	--	--	--	0
	Greenford	1706	1.52	1.71	No	0.34	No	No	Maybe	No	0
	Hamilton Beach A-C*	1109	1.08	1.11	--	--	--	--	--	--	0
	Kentley	3999	6.09	4.00	--	--	--	--	--	--	0
	Lakely	12	0	0	--	--	--	--	--	--	0
	Lower King's Forest A-D	13	6.93	0.01	--	--	--	--	--	--	0
	Nashdale	7	0	0	--	--	--	--	--	--	0
	Red Hill	4545	2.17	4.55	No	0.22	No	0.45	No	0.45	1.26
	Riverdale East	3786	3.74	3.79	No	No	3.17	0.38	Yes	No	0
	Riverdale West	6320	5.57	6.32	0.63	No	No	0.63	No	No	0
	Rosedale	4262	7.05	4.26	--	--	--	--	--	--	0
	Vincent	7951	3.88	7.95	1.59	No	No	0.80	Limited	No	1.68
6	Albion Falls*	382	0	0.38	--	--	--	--	--	--	0
	Berrisfield	4079	5.43	4.08	--	--	--	--	--	--	0
	Broughton East	2276	0	2.28	0	0	2.69	No	Yes	No	0
	Hampton Heights	3246	2.22	3.25	No	0.32	No	No	Limited	No	0.71
	Hannon North	53	0	0	--	--	--	--	--	--	0
	Hannon South	61	0	0	--	--	--	--	--	--	0
	Hannon West	7	0	0	--	--	--	--	--	--	0
	Huntington	4891	5.46	4.89	--	--	--	--	--	--	0
	Lisgar	5300	2.30	5.30	No	0.53	0.53	No	Yes	0.53	1.41
	Macassa	2645	6.18	2.65	--	--	--	--	--	--	0
	Quinnndale	4038	2.46	4.04	No	0.40	1.66	0.20	No	No	0
	Raleigh*	4691	0.33	4.69	--	--	--	--	--	--	0
	Rymal	2	0	0	--	--	--	--	--	--	0
	Sherwood	2548	0	2.55	No	No	4.18	No	No	No	0
	Sunninghill*	2334	2.28	2.33	--	--	--	--	--	--	0
	Templemead	3591	1.94	3.59	No	0.36	0.36	No	Maybe	No	0.93
	Trenholme	1428	2.90	1.43	--	--	--	--	--	--	0
	Upper King's Forest	0	0	0	--	--	--	--	--	--	0
7	Allison	1399	0.79	1.40	No	No	No	No	Maybe	0.07	0.54
	Balfour	2237	1.39	2.24	No	0.22	No	No	No	No	0.63
	Barnstown	3767	3.00	3.77	No	0.38	0.38	No	Yes	No	0.01
	Broughton West	3154	2.11	3.15	No	No	No	No	No	0.16	0.88
	Bruleville	4216	3.13	4.22	No	0.21	2.93	0.42	No	No	0
	Burkholme	3721	1.82	3.72	No	0.37	1.03	No	No	0.37	0.13
	Butler	2078	8.47	2.08	--	--	--	--	--	--	0
	Centremount	2814	3.43	2.81	--	--	--	--	--	--	0
	Chappel East	2385	1.26	2.39	No	0.24	0.24	No	Yes	0.24	0.41

SUMMARY OF PARK DEFICIENCIES (ha)

Ward	Neighbourhood	Pop. (1994)	Exist.	Req.	1	2	3	4	5	6	Shortfall
	Chappel West*	1122	0	1.12	--	--	--	--	--	--	0
	Crerar	3787	3.65	3.79	No	0.38	0.19	No	No	0.19	0
	Eastmount	4675	2.72	4.68	No	No	No	0.24	No	No	1.72
	Eleanor	4023	2.21	4.02	No	0.40	1.55	No	Yes	No	0
	Greeningdon	3637	0.20	3.64	No	No	1.52	No	No	No	1.92
	Hill Park	3121	8.11	3.12	--	--	--	--	--	--	0
	Inch Park	3955	5.04	3.96	--	--	--	--	--	--	0
	Jerome	3560	2.77	3.56	No	0.35	0.35	No	Yes	No	0.09
	Lawfield	3733	3.97	3.73	--	--	--	--	--	--	0
	Randall*	2486	2.04	2.49	--	--	--	--	--	--	0
	Rushdale*	2801	1.79	2.80	--	--	--	--	--	--	0
	Ryckmans	3841	4.64	3.84	--	--	--	--	--	--	0
	Thorner	2523	1.81	2.52	No	0.25	No	No	No	0.13	0.33
8	Bonnington	1586	0.60	1.59	No	No	No	No	No	No	0.99
	Buchanan	2595	3.49	2.60	--	--	--	--	--	--	0
	Carpenter	2963	2.18	2.96	No	0.30	0.30	No	No	0.15	0.03
	Falkirk East	2194	10.73	2.19	--	--	--	--	--	--	0
	Falkirk West	469	1.61	0.47	--	--	--	--	--	--	0
	Fessenden	3615	2.38	3.62	No	0.36	1.37	No	Maybe	No	0
	Gilbert	3374	6.39	3.37	--	--	--	--	--	--	0
	Gilkson	3616	1.68	3.62	No	0.36	2.29	No	Maybe	0.18	0
	Gourley	4998	5.58	5.00	--	--	--	--	--	--	0
	Gurnett	5051	2.49	5.05	No	0.50	No	No	No	No	2.06
	Kennedy East	865	1.19	0.87	--	--	--	--	--	--	0
	Kennedy West*	646	0	0.65	--	--	--	--	--	--	0
	Kernighan	1279	0.60	1.28	No	0.13	1.38	No	No	0.13	0
	Mewburn	904	0	0.90	No	No	1.57	No	No	0.20	0
	Mohawk*	277	0	0.28	--	--	--	--	--	--	0
	Mountview	3792	12.44	3.79	--	--	--	--	--	--	0
	Rolston	5010	9.34	0.50	--	--	--	--	--	--	0
	Sheldon*	3955	0	3.96	--	--	--	--	--	--	0
	Southam	860	1.70	0.86	--	--	--	--	--	--	0
	Westcliffe East	2691	4.07	2.69	--	--	--	--	--	--	0
	Westcliffe West*	1672	0.60	1.67	--	--	--	--	--	--	0
	Yeoville	1161	0	1.16	No	No	2.77	No	Maybe	No	0
											79.20
Total											

*There is sufficient park land in the vicinity to offset shortfall.

**Shortfall will be offset by park acquisition

1 = 20% reduction if combined site for neighbourhood community park (O.P.C.1.1.9).

2 = 20% reduction if adjacent to school with grassed area (O.P.C.1.1.10)

3 = School surplus can be applied to park shortfall Board requirements of 0.50 ha for separate or public elementary schools and 0.25 ha for junior high and high schools per 1000 pop. (O.P.C.1.1.8)

4 = Reduction due to open space within area (O.P.C.1.1.3, vi).

5 = Opportunities for acquisition (O.P.C.1.1.3, iv)

= Alternate large-scale park facilities in vicinity (O.P.C.1.1.3, ix).

APPENDIX "B"

**Priority "A" Parkland Acquisition
Neighbourhood and Community Parks**

Ward	Neighbourhood	Shortfall	Estimated Acquisition Cost (millions)
2	Durand	2 houses	\$0.3
3	Landsdale	1 house	\$0.1
3	Crown Point West	1 house	\$0.1
2	Corktown	4.7 acres	\$1.1
4	Crown Point East	6 houses	\$0.5
3	Gibson	2.23 acres	\$1.4
2	Beasley	2.13 acres	\$1.2
1	Kirkendall North	1.65 acres	<u>\$1.0</u>
Total Priority "A" Parks			<u><u>\$5.6</u></u>

**Priority "B" Parkland Acquisition
Neighbourhood and Community Parks**

Ward	Neighbourhood	Shortfall (hectares)	Estimated Acquisition Cost (millions) (Note 1)
4	Homeside	4.76	\$7.8
1	Ainslie Wood West	4.19	\$10.7
2	Stinson	3.01	\$4.2
3	Stipeley	2.77	\$4.1
3	Blakely	2.63	\$5.5
3	St. Clair	2.63	\$5.5
4	Delta East	2.61	\$5.5
6	Raleigh	2.23	\$4.7
8	Gurnett	2.00	\$0.6
7	Greeningdon	1.92	\$5.0
7	Eastmount	1.74	\$3.7
5	Vincent	1.68	\$3.7
6	Lisgar	1.41	\$3.4
5	Red Hill	<u>1.06</u>	<u>\$2.4</u>
Total Priority "B" Parks		<u>34.64</u>	<u>66.77</u>

Notes:

- 1 Calculations of land cost are based on 1994 MHREB average selling prices at typical single-family acreage densities and are exclusive of fees, demolition or expropriation.

**Priority "C" Parkland Acquisition
Neighbourhood and Community Parks**

Ward Neighbourhood		Shortfall (hectares)	Estimated Acquisition Cost (millions) (Note 1)
8	Bonnington	0.99	\$2.5
6	Templemead	0.93	\$2.2
7	Broughton West	0.88	\$0.3
3	Industrial Sector D	0.75	\$0.8
1	Ainslie Wood North	0.73	\$1.8
6	Hampton Heights	0.71	\$1.7
3	Industrial Sector A - Keith	0.67	\$0.9
7	Balfour	0.63	\$1.3
7	Allison	0.54	\$0.2
7	Chappel East	0.41	\$0.1
5	Corman	0.35	\$0.8
3	Industrial Sector B	0.35	\$0.4
7	Thomer	0.34	\$0.9
3	Industrial Sector C	0.31	\$0.3
4	Glenview West	0.17	
7	Burkholme	0.13	\$0.3
7	Carpenter	<u>0.03</u>	<u>\$0.1</u>
Total Priority "C" Parks		<u>8.92</u>	<u>\$14.6</u>

Notes:

- 1 Calculations of land cost are based on 1994 MHREB average selling prices at typical single-family acreage densities and are exclusive of fees, demolition or expropriation.

**Priority "D" Parkland Acquisition
Neighbourhood and Community Parks**

Ward	Neighbourhood	Site	Owner	Acquisition Priority	Area (hectares)	N'hood Requirements (hectares)
1	Cootes Paradise	Churchill Park	RBG	D	11.13	11.13
2	Central	Sir John A. MacDonald	Board of Education	D	3.35	2.43
4	Delta East	Delta Collegiate	Board of Education	D	2.51	1.44
4	Glenview West	Viscount Montgomery	Board of Education	D	2.68	1.65
6	Broughton East	School land	Separate School	D	3.83	2.69
6	Lisgar	St. Jean/St. Daniel	Separate School	D	6.67	0.53
6	Quinndale	C.B. Stirling	Board of Education	D	3.68	1.66
6	Sherwood	Sherwood Secondary	Board of Education	D	6.09	4.18
6	Templemead	School land	Board of Education	D	6.71	0.36
7	Barnstown	School land	Board of Education	D	3.65	0.38
7	Bruleville	Crestwood Vocational	Board of Education	D	3.99	2.93
7	Burkholme	School land	Board of Education	D	2.89	1.03
7	Chappel East	School land	Board of Education	D	3.93	0.24
7	Crerar	School land	Board of Education	D	2.43	0.19
7	Eleanor	School land	Board of Education	D	3.55	1.55
7	Greeningdon	Ridgemount	Board of Education	D	2.62	0.8
7	Greeningdon	St. Michael's	Separate School	D	2.54	0.72
7	Jerome	School land	Board of Education	D	11.13	0.35
8	Carpenter	School land	Board of Education	D	4.01	0.3
8	Fessenden	Sir Allan MacNab	Board of Education	D	12.27	11.37
8	Gilkson	School land	Board of Education	D	4.1	2.29
8	Kernighan	School land	Board of Education	D	2.02	1.38
8	Mewburn	School land	Board of Education	D	2.02	1.57
8	Westcliffe West	Holbrook Park	Chedoke Health Corp.	D	0.88	0.88
8	Yeoville	Caledon Secondary	Board of Education	D	<u>3.06</u>	<u>2.77</u>
Total "D" Priority Parks:					<u>111.74</u>	<u>54.82</u>

Notes:

The estimated cost of acquisition of these properties is \$25 million;
this is for 54.82 hectares for neighbourhood park purposes.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1996 and respectfully recommends:

1. That approval be given to amended Zoning Application 96-03, The Pica Group Inc., owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District for Blocks "1" & "2", shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That Blocks "1" & "2" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District;
 - (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) Notwithstanding Section 10C.(1) of Zoning By-law No. 6593, the following uses shall be permitted on Block "1":
 - (1) a senior citizens multiple dwelling containing a maximum of seventy-eight (78) "housekeeping dwelling units" only within the existing building;
 - (2) a dining room only in conjunction with a senior citizens multiple dwelling;
 - (3) a hair salon only in conjunction with a senior citizens multiple dwelling;
 - (ii) That Section 10C(3) shall not apply to the existing building on Block "1";
 - (iii) Notwithstanding Section 10C(5) the gross floor area of the senior citizens multiple dwelling shall not exceed 4480.0 m² (48,223.89 S.F.) on Block "1";

- (iv) That an amenity area having a minimum gross floor area of 518.0 m² (5,575.88 S.F.) including, but not limited to, a library, chapel, games room, bar and lounges, shall be provided and maintained for the senior citizens multiple dwelling within the existing building;
- (v) That Section 18. (4)(iv) of Zoning By-law No. 6593 shall not apply;
- (vi) Notwithstanding Table 1 of Section 18A of Zoning By-law No. 6593, a minimum of 26 parking spaces shall be required for a senior citizens multiple dwelling containing not more than seventy-eight (78) "housekeeping dwelling units", as follows:
 - (1) a minimum of ten (10) parking spaces shall be provided and maintained on Block "1" ;
 - (2) a minimum of sixteen (16) parking spaces shall be provided and maintained on Block "2";
- (vii) Notwithstanding Section 18A.(9), sixteen (16) of the required parking spaces for the seniors multiple dwelling shall be provided and maintained on the lot located at No. 46 Grant Avenue (Block "2");
- (viii) Notwithstanding Section 18A.(1)(C), one (1) loading space at 9.0 m x 3.7 m x 4.3 m shall be provided and maintained for the senior citizens multiple dwelling on Block "1";
- (ix) That for the purposes of this By-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1360, and that the subject lands on Zoning District Map E-13 be notated S-1360;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13 for presentation to City Council;
- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
- (f) That the Approved Landsdale Neighbourhood Plan be amended by redesignating the subject lands from "Civic & Institutional" and "Commercial & Apartments" to "Medium Density Apartments" upon finalization of the implementing By-law.

2. That Section 2(a) of the SIXTH Report of the Planning and Development Committee for 1996 which modified the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of By-law No. 6593, applicable to Blocks "1", "2" & "3", for property at 252, 262, and 268 James Street South, be amended by adding a new clause (k) as follows:
 - (k) That notwithstanding Section 11A(3)(ii)(b) of Zoning By-law No. 6593, the existing buildings shall provide and maintain side yards, as follows:
 - 1) a 0.45 m side yard shall be provided and maintained for the north lot line of Block "2"; and,
 - 2) no side yard shall be provided and maintained for the north lot line of Block "3";
3. That pursuant to Regional Council's delegation of approval authority for consent applications to the City of Hamilton, effective 1996 July 1, the City Solicitor be authorized and directed to prepare a by-law for approval by City Council, to delegate the authority to the Committee of Adjustment, effective 1996 July 1.
4. That a Heritage Permit be approved for the designated Pigott/Sun Life Buildings located at 36 James Street South and 42 James Street South, respectively, to mount four projecting sign banners measuring 3' wide and 12' high on the east (James Street) facade of the Pigott Building and four identical banners on the south (Main Street) facade of the adjacent Sun Life Building and to install a security camera in the top north-east corner of the entrance lobby of the Pigott Building.
5. That a Heritage Permit be approved for the following alterations, which will affect the exterior of the designated Dundurn Castle Stable Building:
 - (a) installation of mechanical equipment and enclosure (approximately 15'9" x 6' x 6' high), located 4' south of the south facade (facing York Boulevard), as shown on the revised drawings attached hereto and marked as Appendix "B". The enclosure will be covered by a metal grate and camouflaged by a cedar palisade fence and plantings; and,
 - (b) installation of 2 vents in west roof gable as shown on Appendix "C" attached hereto.

6. That the Building Commissioner be authorized to issue a demolition permit for 412 Charlton Avenue West in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross.
-14.

NAYS: Alderman Kiss -1.

CARRIED.

7. That the Building Commissioner be authorized to issue a demolition permit for 486 Grays Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
8.
 - (a) That the budget, as outlined in Appendix "D", be approved for a Festival in the Park to be held in Woodland Park on 1996 June 15 in conjunction with the Barton Street Redevelopment Program; and,
 - (b) That the City Treasurer be authorized and directed to forward \$6,441 (\$8,051 - 20% holdback) for the Festival in the Park to the Barton Street B.I.A.. The outstanding balance of \$1,610 to be forwarded upon submission of a statement of account.
9.
 - (a) That Item 7 of the TENTH Report of the Planning and Development Committee Report for 1995, approved by Council on 1996 March 28 regarding the approval of the sum of \$3,750 representing the cash payment in lieu of 5% parkland dedication for "Claudette Gardens - Phase 7" be rescinded and replaced with Item (b) below.
 - (b) That the City of Hamilton accept the sum of \$39,275 as a cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 7", Hamilton, and the sum of \$10,890 as a cash payment in lieu of the 5% land dedication in connection with "Wisemount Estates - Phase 7", Hamilton being the cash payment required under Section 51 of the Planning Act.
10. That the total outstanding Ontario Home Renewal Program loan for Mrs. E. Barbieri, 83 Simcoe Street East, in the amount of \$544.82 be placed on the tax rolls.

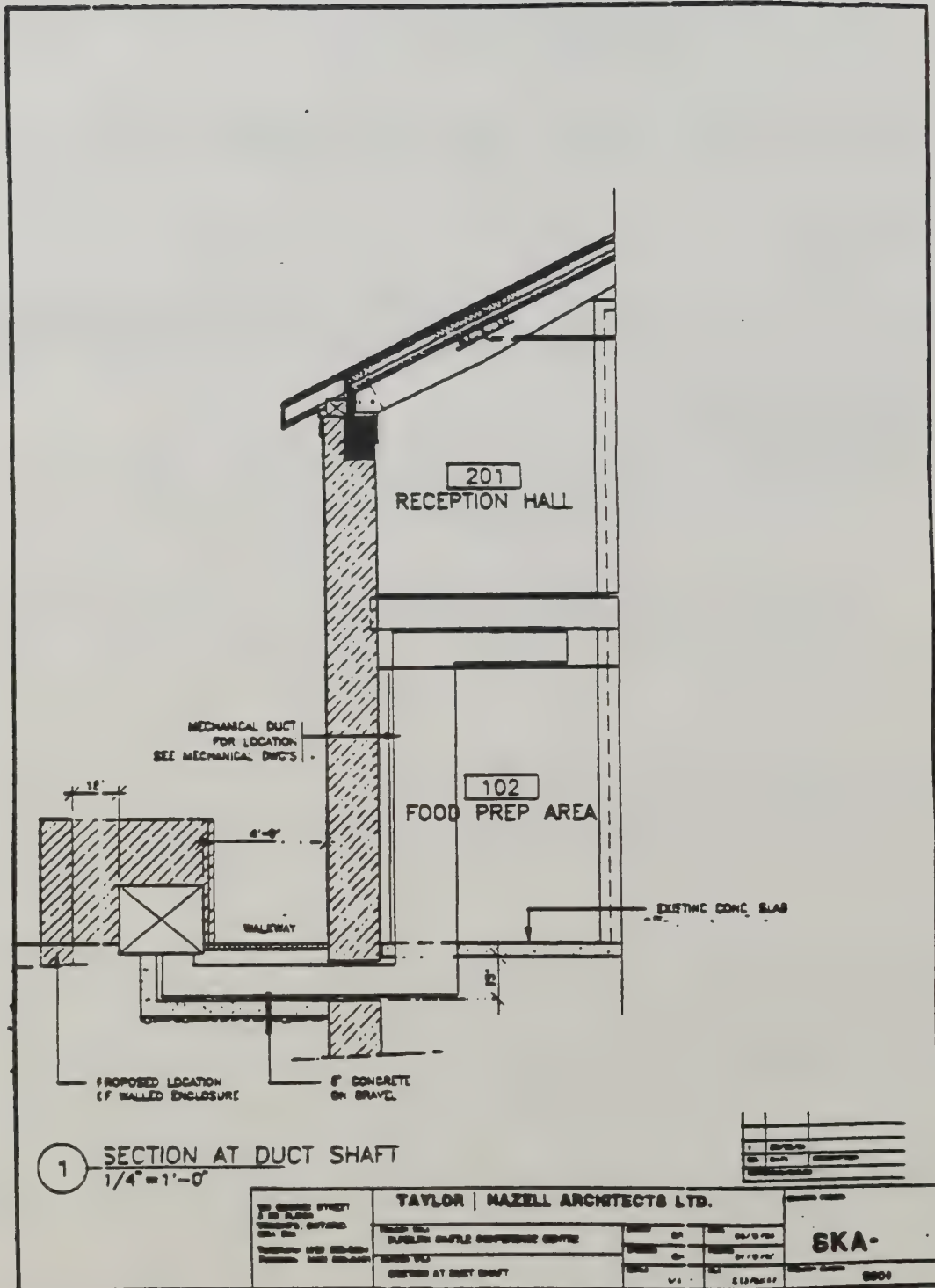
11. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) C-24 A By-law to Amend Zoning By-law 6593 and to Repeal Zoning By-laws 85-200 and 86-103 Respecting Lands Located at Municipal Numbers 252, 262 and 268 James Street South.

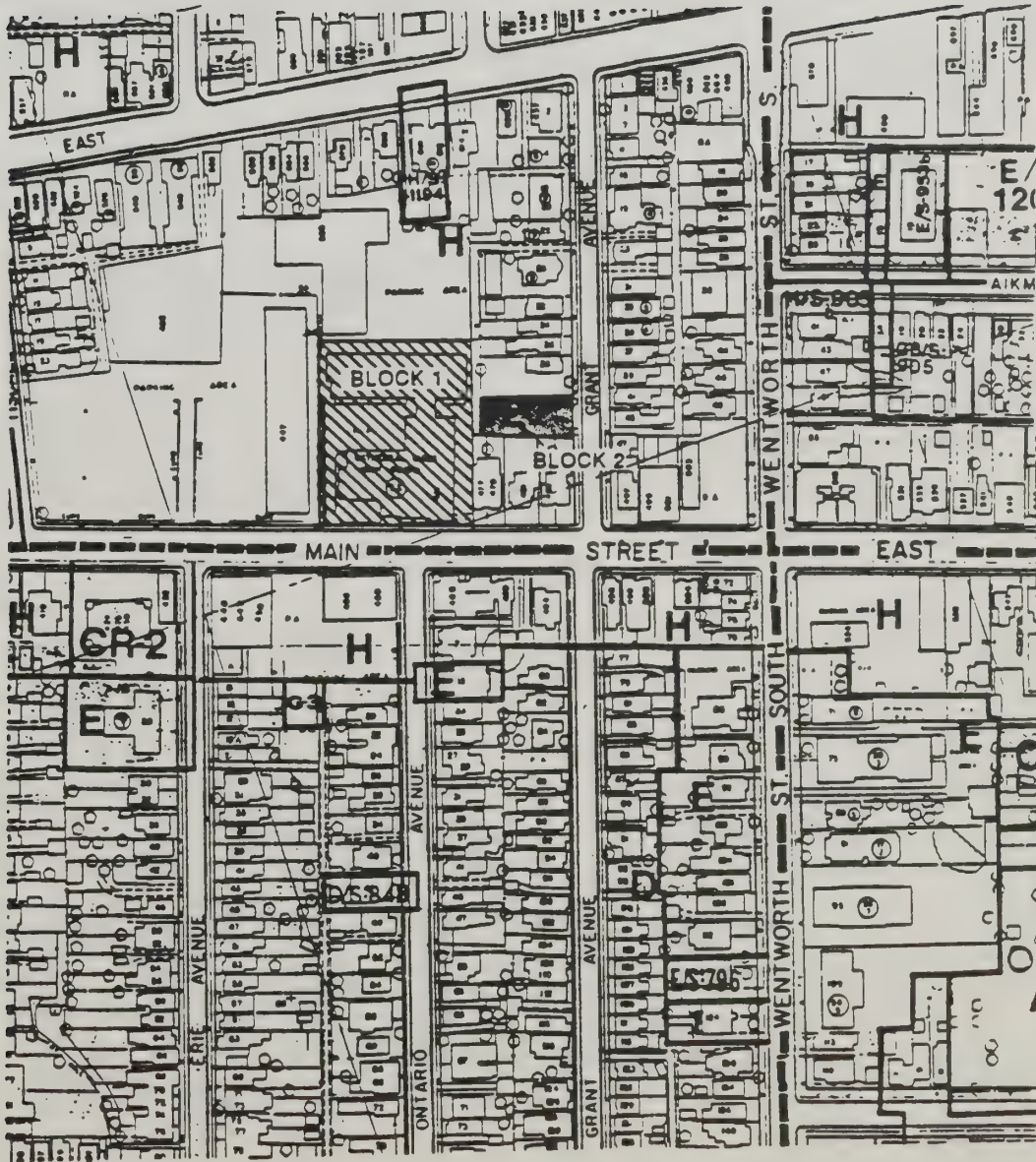
Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 May 22**



Appendix "A" referred to in
Section 1. of the NINTH Report
of the Planning and Development
Committee for 1996.



Legend

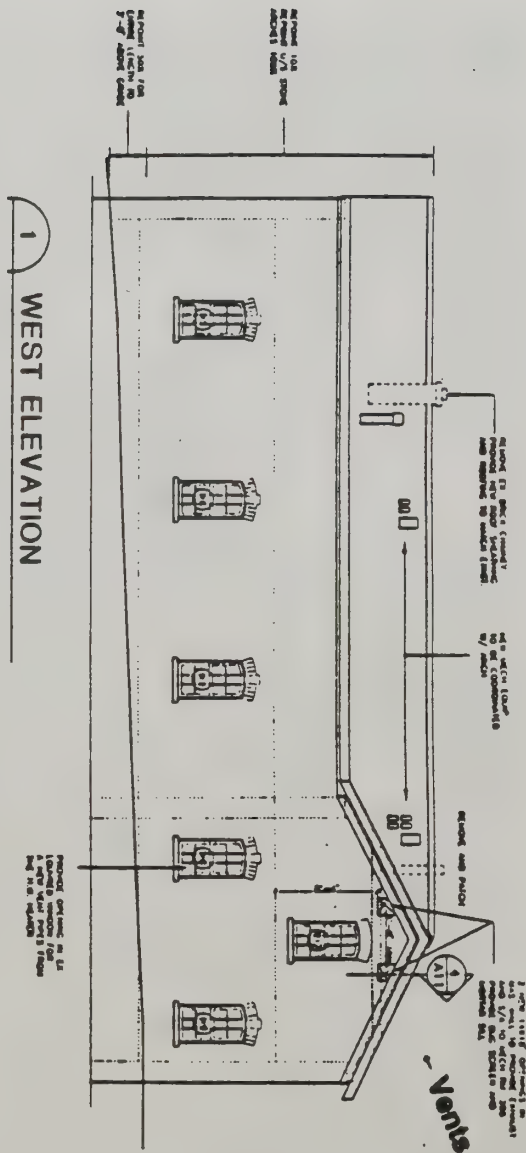
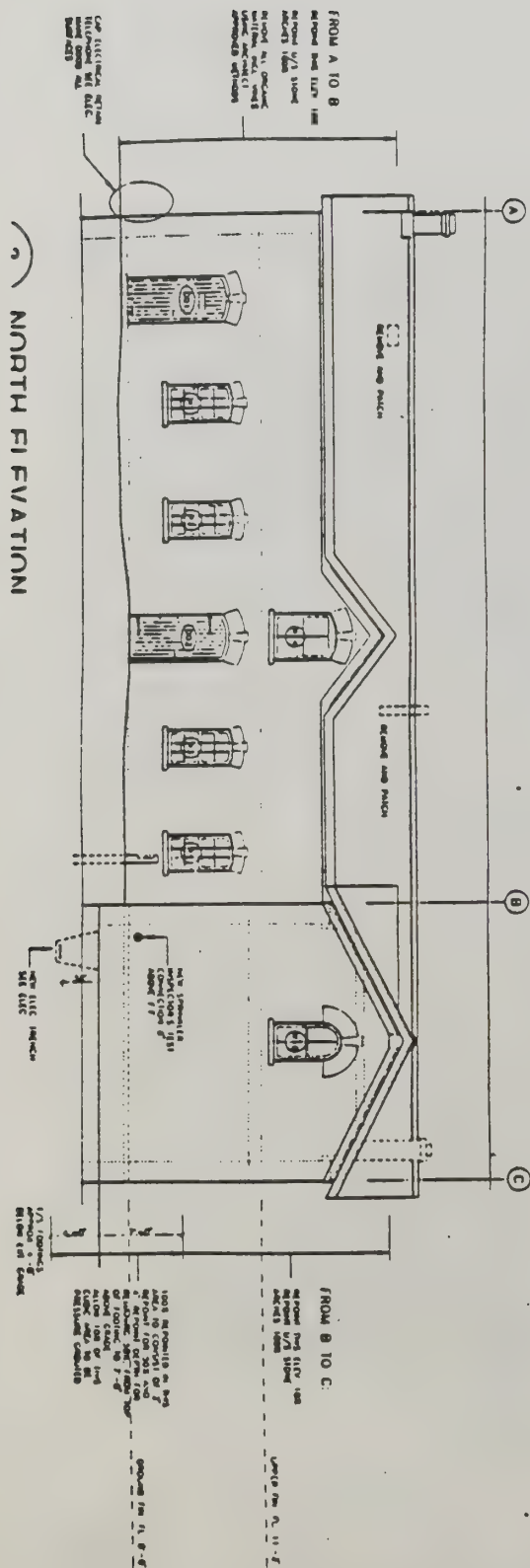
BLOCK 1
and
BLOCK 2



From "H" (Community Shopping and Commercial, etc.)
District to "DE-3" (Multiple Dwellings) District, Modified.



Appendix "C" referred to in Section 5. (b) of the the NINTH Report of the Planning and Development Committee 1996.



Appendix "D" referred to in
Section 8. (a) of the NINTH Report
of the Planning and Development
Committee 1996.

JUNE 1996 FESTIVAL BUDGET

ENTERTAINMENT: (INC. CLOWNS & BOUNCING CASTLE)	\$4,100.00
FOOD: HOT DOGS, SAUSAGES, PIZZA, BUNS CONDIMENTS, POP	\$300.00
PLATES, NAPKINS, GARBAGE BAGS TABLE CLOTHS	\$75.00
SOUND:	\$1,250.00
ADVERTISING (INC. FLYER DISTRIBUTION)	\$200.00
PROPANE, BBQ TANKS	\$20.00
PRINTING	\$200.00
PENNANTS/BALLOONS:	
MISCELLANEOUS:	\$500.00
RECONCILIATION (1995)	\$356.31
ADMINISTRATION	\$1,050.20

TOTAL	\$8,051.51
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REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1996 and respectfully recommends:

1. (a) That the City resolve Ontario Court (General Division) Action #1699/93 by the payment to the Plaintiffs, Sophie and Harley Davidson, of the sum of \$4,000 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action #1699/93 be dismissed without costs.
2. That approval be given to the request of the Royal Canadian Mounted Police to use the City Hall Forecourt and related equipment on Wednesday, 1996 June 19 from 12 noon until 2:00 p.m. for a welcoming ceremony during the R.C.M.P. Scarlet Riders Challenge.
3. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing.

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319141004	Security Improvements-City Hall	\$100,000.00	\$100,000.00	\$0.00	RCP
b) 319151012	Convention Centre Light Control	25,000.00	24,962.83	37.17	RCP
c) 319251004	C.U.P.- Capital Replacements/New Equipment	70,000.00	69,997.76	2.24	RCP
d) 319349008	Sculpture Court-Commonwealth Square	110,000.00	109,934.55	65.45	RCP

e) 319351006	C.U.P. - Capital Replacements/New Equipment	70,000.00	69,998.26	1.74	RCP
f) 319441005	Major Maintenance to Civic Buildings	400,000.00	399,955.36	44.64	DEB
g) 319441009	Westmount/Mtn. Arenas Boiler Replacement	154,000.00	153,938.00	62.00	DEB
h) 319441013	Copps Coliseum - Steam to Hot Water Conversion	205,000.00	205,000.00	0.00	DEB
i) 319451019	C.U.P. - Capital Replacements/New Equipment	70,000.00	69,961.03	38.97	CL
j) 319541008	Central Fire - Replace Flat Roofs	73,000.00	72,996.25	3.75	CL RCP
TOTAL				\$255.96	

4.
 - (a) That a purchase order be issued to KME Fire Apparatus/Code 4 Fire & Rescue Inc., Mississauga, Ontario, in the amount of \$1,237,822.03 including all applicable taxes, for the supply and delivery of three (3) class "A" triple combination pumpers in accordance with the specifications issued by the Purchasing Division and the vendor's tender; and,
 - (b) That this expenditure be financed through Capital Account CF 5534 489651026 - Fire Vehicle/Apparatus Replacement; and,
 - (c) That the Mayor and the City Clerk be authorized and directed to execute the above mentioned contract in a form satisfactory to the City Solicitor.
5.
 - (a) That the 1995 Financial Report for the Corporation of the City of Hamilton dated 1995 December 31, be approved; and,
 - (b) That the City Treasurer publish the required 1995 Financial Information, based on the audited Report, in the Hamilton Spectator, within the next 60 days.
6.
 - (a) That the request for Property Tax relief from the Royal Hamilton Light Infantry Veterans Association for 1994 and 1993 in accordance with the Policy on Tax exemption for Veteran's Associations adopted by City Council 1981 September 29, be approved in the total amount of \$10,165.20; and,

- (b) That this exemption be charged to Account CH 53319 24102 (Property Tax Relief) as an approved overdraft of this account; and,
 - (c) That this exemption reflects the first and second years of ten years that the policy allows for this exemption and will require applications for future years on a yearly and per need basis.
- 7.
- (a) That Bot Construction Limited be authorized to proceed with the installation of sanitary and water servicing to the lot line of 817 and 821 Stone Church Road East, at a cost not to exceed \$23,000; and,
 - (b) That the estimated cost of \$23,000 to extend sanitary and water servicing to the lot line of 817 and 821 Stone Church Road East be charged to Account Centre 00102 (Reserve for Property Purchases).
- 8.
- (a) That, as a result of the difficulties experienced and subsequent to a discussion thereof with Mr. Jamshid Haidary and his lawyer, this vendor be given a trial period to 1996, June 28 to operate on the sidewalk and adjacent to the curb at the prescribed site in front of # 9 King Street East in accordance with the terms and conditions of a contract in a form satisfactory to the City Solicitor; and,
 - (b) That Public Works staff closely monitor the operation during that trial period and report back to the Committee on the results of the trial period at the July 2 meeting; and,
 - (c) That this contract be voidable by the vendor on or before 1996 July 2, on the terms that he provide a signed discharge and release in a form satisfactory to the City Solicitor, entitling him to receive a full refund of the \$7,000 fee paid to the site for the use of the site; and,
 - (d) That when the site is no longer operated by this vendor, it be removed from the approved street vendor list and not be available to any other street vendors.
- 9.
- (a) That all new taxi and livery licences for the remainder of 1996 be issued on the basis of the following new licence fees in addition to the new licence processing fee approved for all new licences by City Council on 1996 February 27th:

	<u>Current</u>	<u>Proposed</u>
Taxi Cab Driver	\$ 50	\$100
Taxi Cab Broker	\$270	\$540
Taxi Cab Leases - new	\$ 60	\$120
Livery Vehicle	\$210	\$420
Livery Driver	\$ 50	\$100

- (b) That the City Solicitor be authorized to prepare the appropriate By-law.

10. (a) That a half page ad at a cost of \$2,363 be placed in a Special Sesquicentennial commemorative section in The Spectator to be published on Saturday, 1996 June 8th in commemoration of the 150th Anniversary of the City of Hamilton and The Spectator; and,
- (b) That the cost for this ad be charged to Account No. CH 56302 12001 (Advertising & Promotion).
11. (a) That City Council officially recognize the Sesquicentennial Commemorative Coin produced as a joint project of Hamilton Sesquicentennial Celebrations Inc. and The Hamilton & District Chamber of Commerce; and,
- (b) That City Council encourages merchants, retailers and other entities in the Greater Hamilton Community to accept the Sesqui Coin in lieu of legal tender, during the period of 1996 June 10th to December 31st inclusive.
12. That the City's assistance be given to both Theatre Aquarius and The Art Gallery of Hamilton in their efforts of seeking private legislation with a Private Members Bill for tax exempt status.
13. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-40 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

D-41 A By-law to Amend Licensing By-law No. 93-069 Respecting Taxi and Livery Licence Fees. **ADDED.**

14. That City Council advise the Ontario Racing Commission that it is aware of the request from the Flamboro Downs for an additional proposed Teletheatre location at 801 Mohawk Road West, Harvard Square and that City Council has no objection to this location being approved. **ADDED.**

15. Given the City's recent experience and proactive work on behalf of its residents for maintenance of local hospital services and with the approach of the current Provincial Government to support restructuring through amalgamated management as seen in Bill 26, Schedule "F", amendment to the Public Hospital Act.

It is crucial that this City go on record with and petition the Minister to continue the City's role and responsibility for appointing all members on any newly created Hospital Board.

This authority must continue to reinforce the accountability of the Board members to the residents of this community.

This request be circulated to all area MPP's for their support on behalf of their constituents. **ADDED.**

16. That Alderman W. McCulloch be authorized to attend the upcoming Great Lakes St. Lawrence Mayor's Conference to be held in Quebec City, June 15-19, 1996. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 May 21**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1996 and respectfully recommends:

1. That Alderman T. Jackson be appointed Chairman of the Committee of the Whole for the period of June, July and August, 1996.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1996 May 28

JJS/dg

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1996

URBAN MUNICIPAL

Y CLERK'S OFFICE

JUN 10 1996

MEMORANDUM

*****GOVERNMENT DOCUMENTS*****

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

FROM: Mr. J. J. Schatz
City Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MEETING

DATE: 1996 June 6

Attached for your information and appropriate action is a copy of the minutes of the special meeting of City Council held 1996 June 6.

Please undertake to carry out the directions of City Council.

att.

JJS/dg

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library 1*

10

Minutes of the Special
City Council Meeting
June 6, 1996
3:00 o'clock p.m.
King's Forest Golf Course Meeting Room

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, Agro, Copps, Wilson, Eisenberger, Collins, Jackson,
Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman W. McCulloch - civic business
Alderman D. Drury - regional business
Alderman B. Morelli - regional business

* * * * *

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Copps, Wilson, Eisenberger,
Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - FOURTH REPORT
(Constituent Assembly)

Section 1 Re: City of Hamilton Position on Local Government Restructuring
CARRIED UNANIMOUSLY.

* * * * *

Section 2 Re: Final Report of the Constituent Assembly

Recorded vote.

YEAS: Aldermen Kiss, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson. -8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, Eisenberger, D'Amico, Ross. -6.

CARRIED.

AMENDMENT TO PREVIOUS RECOMMENDATION

(Section 16 of the Eleventh Report
of the Finance and Administration Committee)
(Great Lakes St. Lawrence Mayor's Conference)

It was moved by Alderman Wilson and seconded by Alderman Ross that Section 16 of the Eleventh Report of the Finance and Administration Committee for 1996 be amended by deleting the name of Alderman W. McCulloch in the first line and inserting in lieu thereof the name Alderman M. Caplan.

CARRIED.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

1996 June 6

GREEN MUNICIPAL

* * * * *

City Council then adjourned at 3:05 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1996 June 6
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTH** Report for 1996 and respectfully recommends:

1. That the following be the City of Hamilton position on Local Government Restructuring:
 - (a) amalgamated tax base
 - (b) representation by population - approximately 20,000 people per Ward
 - (c) amalgamation of all area municipalities into the City of Hamilton
 - (d) eliminate the Region and devolve all staff and services into the City of Hamilton
 - (e) final implementation by the year 2000

CARRIED UNANIMOUSLY.

2. That the City of Hamilton fundamentally disagree with the conclusions of the Final Report of the Constituent Assembly. **AMENDED AT JUNE 25, 1996 COUNCIL MEETING.**

Recorded vote.

YEAS: Aldermen Kiss, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson. -8.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, Eisenberger, D'Amico, Ross. 6.

CARRIED.

1996 June 6

3. That the following Bill be adopted, signed and sealed and enrolled as a By-law.

E-02: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1996 June 6
JJS/dg

1996 June 18

URBAN MUNICIPAL

JUN 25 1996

Minutes of the Special
City Council Meeting
June 18, 1996
7:15 o'clock p.m.
Room 233, City Hall

GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger,
Collins, Jackson, Charters, Merling, Ross, D'Amico.

Absent: Alderman M. Caplan - City Business
Alderman T. Anderson - Personal Business

* * * * *

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Wilson that Rule No. 3(d) of City of Hamilton Procedural By-law 95-167 be suspended for this special meeting of City Council in order for this meeting to be held without the provision of 24 hours of notice. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Parks and Recreation Committee be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Eisenberger, Collins, Charters, Jackson, Merling, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

(Versa Services Ltd. - Liquor Sales Licence -
Ivor Wynne Stadium)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, D'Amico, Ross. -13.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

RESOLUTION

(Hamilton Civic Hospitals Board)

Rule 3 (e) - New Board Structure - Hamilton Hospitals (Hamilton Health Sciences Corporation)

It was moved by Alderman Charters and seconded by Alderman Merling that Rule 3 (e) of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the proposed new Board structure of the Merged Hamilton Hospitals (Hamilton Health Sciences Corporation).

CARRIED.

* * * * *

Re: City of Hamilton opposed to the Merged Hamilton Hospitals Board (Hamilton Health Sciences Corporation).

It was moved by Alderman Charters and seconded by Alderman Merling that

- (a) That the City of Hamilton is opposed to the Merged Hamilton Hospitals Board (Hamilton Health Sciences Corporation) restructuring as proposed; and,
- (b) That the Mayor, Chairman of the Finance and Administration Committee, Alderman H. Merling and appropriate staff meet with the Minister of Health within the week to stress the need for political representation (eg. appointed by the municipality or the Province or directly elected), public accountability and open meetings in the new Board structure of the Merged Hamilton Hospitals (Hamilton Health Sciences Corporation); and,

- (c) That the City Clerk ensure that all members of the Civic Hospitals Board appointed by the City of Hamilton be advised of this position; and,
- (d) That to ensure that these members are advised, that the City Clerk hand-deliver a copy of this resolution to them prior to the Civic Hospitals Board meeting being held Wednesday, 1996 June 19th. **CARRIED.**

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Parks and Recreation Committee and a resolution be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:20 o'clock p.m.

* * * * *

Taken as read and approved.

**Mayor R.M. Morrow
Chairman, Committee of the Whole**

S. G. Hollowell, Acting City Clerk
1996 June 18
SGH/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1996 and respectfully recommends:

1. That the City of Hamilton approves the application of Versa Services Ltd. of Etobicoke and the City of Hamilton as co-licensee's for a liquor sales licence to permit sales from fixed kiosks but not direct sales in the grandstand at Ivor Wynne Stadium during Hamilton Tiger Cat football games; and the Chief Administrative Officer and the Director of Culture and Recreation complete the form as required.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, D'Amico, Ross. -13.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-3 A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 June 18

Minutes of Hamilton City Council
Tuesday, 1996 June 25
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman Eisenberger - City Business

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Bruce Woods, Hamilton Christian Fellowship led Council in prayer.

PRESENTATIONS

Rev. Dennis L. Hillis presented to Mayor Morrow a leather bound New Contemporary English Version of the Bible with the Sesquicentennial logo embossed in gold on its cover and presented to each Member of Council a New Testament which was also be embossed with the logo.

* * * * *

Mayor Morrow presented Sesquicentennial Provincial Awards to the Blessed Sacrament Minor Bantam AAA All-Star Team.

* * * * *

Mr. Gary Hall, representing the Spectator accepted congratulations from the Mayor and Members of City Council in recognition of the Spectators 150th Anniversary and participated in the cutting of an anniversary cake.

ADOPTION OF MINUTES

The minutes of the meetings held 1996 May 28 (regular), and June 18 (special) were adopted as circulated.

The minutes of the special meeting held 1996 June 6 were amended as follows:

It was moved by Alderman Wilson and seconded by Alderman Merling that Section 2 of the Fourth Report of the Committee of the Whole adopted by City Council at its special meeting held 1996 June 6 be amended by adding after the word "Hamilton" in the first line, the word "fundamentally".

CARRIED.

CORRESPONDENCE

1. Letter dated 1996 June 19 from the Office of the Clerk, Regional Municipality of Hamilton-Wentworth respecting the Hamilton-Wentworth Health Survey: Tobacco Results.

Referred to the Finance and Administration Committee.

2. Application dated 1996 May 30 from Parkgate Developments c/o Angelo Puglisi for a change in zoning from "AA" (Agricultural) to "RT-20" (Townhouse-Maisonette) District for 988 Upper Paradise Road, Hamilton, Ontario

Received.

3. Application dated 1996 June 13 from 712169 Ontario Ltd. (Gino Malatesta) for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 1232 Upper Gage Avenue, Hamilton, Ontario

Received.

4. Letter dated 1996 from J. J. Schatz, City Clerk advising of an objection to By-law No. 96-092 respecting Third Party/Billboard Signs.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of His Worship Mayor R. M. Morrow, be considered in Committee of the Whole with Alderman Jackson in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - NINTH REPORT

Section 28 Re: Ministry of the Environment and Energy - Dofasco Inc.- 1330 Burlington Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 31 Re: Investigate the lack of compliance of the Provincial Governments 3R'S regulations in other municipalities etc.

It was moved by Alderman Merling and seconded by Alderman Charters that Section 31 of the Ninth Report of the Transport and Environment Committee for 1996 be referred back with the following instructions:

"That staff be directed to investigate the lack of compliance of the Provincial Government's 3R's regulations in other municipalities and the Ministries non-enforcement of this Regulation.
CARRIED.

* * * * *

Section 37 Re: Waiving of Parking fees at Municipal Parking Lots - Friday Evening to Sunday Evening.

It was moved by Alderman Merling and seconded by Alderman Agro that Section 37 of the Ninth Report of the Transport and Environment Committee for 1996 be amended to read as follows:

"That the Hamilton Parking Authority be requested to waive the parking fees at all Municipal Parking Lots within the Downtown Core from Friday Evening to Sunday Evening on a three month trial basis."
CARRIED.

PARKS AND RECREATION COMMITTEE - NINTH REPORT
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Section 4 Re: Streetables

It was moved by Alderman Anderson and seconded by Alderman Merling that Section 4 of the Ninth Report of the Parks and Recreation Committee for 1996 be amended by deleting the words "Mr. Frosty" in sub-sections (a), (b) and (c) and inserting "Streetables" in lieu thereof.

* * * * *

Section 12 Re: Alcohol in Parks - Grey Cup 1996 Hamilton Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Collins, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

* * * * *

Section 14 Re: Purchase Order - Iceco Arena Services and Equipment Inc.

It was moved by Alderman Anderson and seconded by Alderman Merling that Section 14 of the Ninth Report of the Parks and Recreation Committee for 1996 be amended by deleting "\$134,869.44" in the fourth line and inserting "\$128,000." in lieu thereof.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - TENTH REPORT

Section 2 Re: Zoning Application 96-04

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 6(a)(i) Re: Stormwater Management Study - City Engineer

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 6(a)(i) of the Tenth Report of the Planning and Development Committee for 1996 be amended by deleting and replacing the words "Commissioner of the Regional Environment Department" with "City Engineer".

CARRIED.

* * * * *

Section 6 Re: Land Drainage By-law No. 80-245

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 6 as amended of the Tenth Report of the Planning and Development Committee be referred back and that the Conservation Authority, Hamilton Home Builders Association and the Regional Environmental Services Department be invited to the next meeting of the Planning and Development Committee.

Recorded vote on referral back of Section 6, as amended.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Mayor Morrow. -1.

CARRIED.

* * * * *

Section 14 Re: Demolition Permit - 8 Dundurn Street North**Recorded vote.**

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

* * * * *

Section 15 Re: Demolition Permit - 10 Dundurn Street North**Recorded vote.**

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

* * * * *

Section 16 Re: Demolition Permit - 12 Dundurn Street North

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

* * * * *

Section 17 Re: Demolition Permit - 14 Dundurn Street North

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - ELEVENTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - TWELFTH REPORT

Section 8 Re: Approved licence fee adjustments for 1997 from the Taxi and Livery (Limousine) categories

Recorded vote.

YEAS: Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Agro. -1.

CARRIED.

* * * * *

Section 11 (d) Re: Application to Liquor Licence Board of Ontario - 1996 Grey Cup Festival Committee - special exemption

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Merling, Anderson, D'Amico, Ross. 14.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Rule No. 9 Re: Section 19(c) - Licensing By-law No. 93-069

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a bill respecting an amendment to By-law No. 93-069 to provide for taxi and livery/limousine fee changes.

CARRIED.

* * * * *

Section 19 (c) Re: Introduction of Bill No. D-44: A By-law to Amend Licensing By-law No. 93-069 Respecting Taxi and Livery Licence Fees.

It was moved by Alderman Charters and seconded by Alderman Collins that the following be added as Section 19 (c) of the Twelfth Report for 1996 of the Finance and Administration Committee respecting a By-law on Taxi fee changes:

19. (c) D-44 A By-law to Amend Licensing By-law No. 93-069 respecting Taxi and Livery Licence Fees.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Agro, Drury. -3.

CARRIED.

* * * * *

Rule No. 9 Re: Use of Council Chambers - Hamilton Folk Arts Heritage Council.

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the Vintage Car and Mobile Sign Welcoming Display on the City Hall Forecourt by Hamilton Folk Arts Heritage Council.

CARRIED.

* * * *

Section 20 Re: Use of Council Chambers - Hamilton Folk Arts Heritage Council.

It was moved by Alderman Charters and seconded by Alderman Collins that the Twelfth Report of the Finance and Administration Committee for 1996 be amended by adding Section 20 as follows:

20. That approval be given to the Hamilton Folk Arts Heritage Council request to place a mobile sign and vintage car on the City Hall forecourt from Tuesday, 1996 June 25 to 29 as a welcome to the vintage car drivers who will be participating in the 1996 Corel Great Race L.L.C. at It's Your Festival in Gage Park.

CARRIED.

* * * * *

Rule No. 9 Re: Section 21 - Toronto Sun Cartoon

It was moved by Alderman Collins and seconded by Alderman D'Amico that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting the cartoon in the Toronto Sun.

* * * *

It was moved by Alderman Collins and seconded by Alderman D'Amico that the following be added as Section 21 of the Twelfth Report of the Finance and Administration Committee:

21. (a) That Hamilton City Council request an apology from the Toronto Sun for the offensive portrayal of the residents of Hamilton East as "buttheads" in a cartoon drawn by Andy Donato and printed in the Toronto Sun following the recent Hamilton East by-election; and
- (b) If an apology is not forthcoming from the Toronto Sun, that Hamilton City Council request the Ontario Press Council to take appropriate action against the Toronto Sun for its offensive publication of the cartoon.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Collins, Jackson, D'Amico. -5.

NAYS: Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Charters,
Merling, Anderson, Ross. -10. **LOST.**

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - SECOND REPORT

NOTICE OF MOTION FOR NEXT MEETING

Mayor Morrow moved that at the next regular meeting of City Council he would move the following motion:

That the Prime Minister of Canada be commended for his initiating discussion of another National Infrastructure Program and that the Government of Ontario be encouraged to participate fully in a new program.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of His Worship Mayor R. M. Morrow, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:10 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 June 25
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1996 and respectfully recommends:

1. That a "No Stopping" regulation be implemented on the east side of Graystone Drive commencing 254 feet north of the north curb line of Greyfriar Drive and extending to a point 76 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
2.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Allan Avenue commencing at a point 199 feet east of Harmony Avenue and extending to a point 23 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Keith Walker, No. 19 Allan Avenue.
3.
 - (a) That the existing "Permit Parking" regulation on the north side of Picton Street West commencing at a point 99 feet west of MacNab Street North and extending to a point 18 feet westerly therefrom be removed; and,
 - (b) That a "Permit Parking" regulation be implemented on the west side of Hughson Street North commencing at a point 240 feet south of the south curb line of Brock Street and extending to a point 18 feet southerly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (d) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Judy Simkins, No. 547 Hughson Street North.
4. That the existing "Permit Parking" regulation on the east side of Gibson Avenue commencing at a point 332 feet south of Barton Street East and extending to a point 22 feet southerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the east side of Roosevelt Avenue commencing at a point 124 feet south of Beach Road and extending to a point 25 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Mike Sokoloski, No. 8 Roosevelt Avenue.
6. That the existing "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation on the east side of Garside Avenue South which commences at a point 54 feet north of the north curb line of Bartonville Court and extends to a point 30 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
7. That a "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Bendamere Avenue between West 31st Street and West 32nd Street and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That the existing "Permit Parking" regulation on the east side of Weir Street North commencing at a point 31 feet south of Britannia Avenue and extending to a point 26 feet southerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the City Traffic By-law No. 89-72 be amended to allow for the existing "No Stopping" regulation on the north side of Haymarket Street commencing at the westerly end of Haymarket and extending to a point 104 feet easterly therefrom.
10. That the existing "Alternate Side Parking" regulation on Deschene Avenue between Hester Street and Washington Street be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on both sides of the street in this block and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first two eligible applicants residing in the apartment building at No. 74 Locke Street North.

12.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Ray Street North commencing at a point 24 feet south of Florence Street and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Helen Qubaia, No. 110 Ray Street North.
13.
 - (a) That the existing "No Parking" regulation on both sides of Upper Horning Road between Monteagle Court and Adis Avenue be replaced with an "Alternate Side Parking" regulation such that parking is prohibited:
 - (i) on the east side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,
 - (ii) on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
 - (b) That Upper Horning Road from Scenic Drive to Stone Church Road be removed from the "through street" system; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
14.
 - (a) That the existing "No Parking" regulation on the west side of Barlake Avenue commencing at Hollydene Place and extending to a point 60 feet northerly therefrom be replaced with a "No Stopping" regulation from the north curb line of Barlake Avenue (south leg) and extending to a point 84 feet northerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
15. That the existing by-law entry allowing for a "No Stopping" regulation on the south side of Glenvale Drive commencing at Garth Street and extending to a point 46 feet westerly therefrom be rescinded.

16. That four-way stop control be implemented at the intersection of Central Avenue and Wexford Avenue South, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Britannia Avenue/Cannon Street East between Kenilworth Avenue and Strathearne Avenue, be removed; and,
 - (b) That four-way stop control be implemented at the intersections of Britannia Avenue and Tragina Avenue and Britannia Avenue and Fairfield Avenue; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
18. That a purchase order be issued to Nedco, Hamilton Ont. for the supply and delivery of traffic signal cable as required by the Public Works and Traffic Department, being the lowest bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the expenditure of \$62,905 including taxes be financed through the Traffic Signals Materials Account No. 56152 75999.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

19. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be installed:

Route No. 56 Confederation Park

Add - Northbound - Centennial Parkway North, east side, 41 feet south of the south curb line of Violet Drive (N/S); and,

Add - Southbound - Centennial Parkway North, west side, 126 feet south of the south curb line of Eastgate Court (M/B); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

20. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be removed and installed:

Route No. 7 Locke

Delete - Westbound - Hunter Street West, north side, 77 feet east of the east curb line (projected) of Park Street (M/B); and,

Delete - Westbound - Hunter Street West, north side, 37 feet east of the east curb line of Bay Street South (N/S); and

Add - Westbound - Duke Street, north side, 15 feet east of the east curb line of Bay Street South (N/S); and,

- (b) That the existing Hamilton Street Railway bus route designation on Duke Street from James Street South to Park Street South be extended westerly to Bay Street South; and,
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

21. (a) That the existing residential boulevard parking agreement registered as Instrument No. 131725 C.D. to the property at No. 157 Ferrie Street East be discharged, at the property owner's expense; and,
- (b) That the City Solicitor be authorized and directed to process the documents in relation to the discharge of this agreement; and,
- (c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

22. That Section 3 of the Fourteenth Report of the Transport and Environment Committee for 1987, approved by City Council on 1987 October 13, be rescinded in its entirety and replaced by:

- (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:

"the lands composed of part of an 11 foot alley, Registered Plan 224, being parallel to Tisdale Street South between King Street East and Main Street East, in the City of Hamilton, more specifically known as firstly, Parts 1, 2 and 3 on Plan 62R-5120 and secondly, Parts 1 and 2 on Plan 62R-13270, containing an area of 87.62 square metres (943.16 square feet)"; and,

- (b) That an Offer to Purchase (Highway Closure), duly executed by the Hamilton Automobile Club on 1996 May 17 and scheduled to close thirty (30) days after the conditions of the Offer have been fulfilled to the satisfaction of the City being on or before the 1996 December 6, for the lands composed of part of an 11 foot alley, Registered Plan 224, being parallel to Tisdale Street between King Street East and Main Street East, in the City of Hamilton, more specifically known as first, Parts 1, 2 and 3 on Plan 62R-5120, and secondly, Parts 1 and 2 on Plan 62R-13270, containing a total area of 87.62 square metres (943.16 square feet), more or less, as shown on Schedules "A" and "B" attached to the agreement, closed by Judge's Order dated 1993 December 21, registered as Instrument No. 174069 on 1994 January 14, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$4,480 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (c) That the required deposit cheque in the amount of \$400 be held by the City Treasurer pending Council approval; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (e) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (ii) no appraisal of the fair market value of the real property being sold was obtained as Highway (Public Alleyway) closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act;
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act; and,

- (f) That an Offer to Purchase (Highway Closure) to be executed by Maindale Properties Limited and scheduled to close thirty (30) days after the conditions of the Offer have been fulfilled to the satisfaction of the City being on or before the 1996 December 6, for the lands composed of part of an 11 foot alley, Registered Plan 224, being parallel to Tisdale Street between King Street East and Main Street East, in the City of Hamilton, more specifically known as Parts 1 and 2 on Plan 62R-13270, containing 5.62 square metres (60.5 square feet), more or less, as shown on Schedule "A" attached to the agreement, closed by Judge's Order dated 1993 December 21, registered as Instrument No. 174069 on 1994 January 14, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$290, be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
 - (g) That the required deposit cheque in the amount of \$30 be held by the City Treasurer pending Council approval; and,
 - (h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (i) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice will be given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (ii) no appraisal of the fair market value of the real property being sold was obtained as Highway (Public Alleyway) closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act.
23. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:
- (i) " **BAR-BROCK ESTATES - PHASE 4** ", Hamilton
 City's Share \$ NIL Subdivider's Share \$118,291.53

- (ii) " WISEMOUNT ESTATES - PHASE 7 ", Hamilton
City's Share \$ NIL Subdivider's Share \$39,182.60; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Bar-Brock Estates - Phase 4", and "Wisemount Estates" and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
24. (a) That in accordance with By-law No. 89-72, Trimac Transportation Services be issued Annual Overload Permits for the year 1996 for eight (8) tractor-trailers to travel upon Burlington Street East, Windermere Road and Strathearne Avenue; and,
- (b) That of the \$709.40 total carrying fee, 10 percent or \$70.94 be credited to City Account No. 25827011 (Overload Permit Fees).
25. (a) That the following City land be incorporated into the following streets:
- | | | |
|--------------------|----------|---------------|
| Appleblossom Drive | Part 3 | 62R-13733 |
| Brigadoon Drive | Block 13 | 62M-753; and, |
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the by-laws.
26. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved, provided:

- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
27. That the Ministry of Environment and Energy West Central Region be notified that the City of Hamilton has no comment regarding the Philip Environmental Inc.'s Application to Amend Provisional Certificate of Approval No. A100140 for Waste Disposal Site (Processing), 52 Imperial Street, Hamilton.
28. (a) That the West Central Region of the Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Dofasco Inc. receiving an amendment to its existing Provisional Certificate of Approval No. A100135 (No. 1 Acid Regeneration Plant) located at No. 1330 Burlington Street East, Hamilton, provided that all Provincial environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of Environment and Energy, and that all applicable City and Regional by-laws are complied with fully; and,
- (b) That a copy of this report be submitted to the West Central Region Branch of the MOEE for its consideration in the preparation of the Provisional Certificate of Approval which would apply to the development and operation of the facility operated by Dofasco Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

29.
 - (a) That the proposed narrowing of John Street North from a width of 8.6 m to 6.2 m from approximately 45 m north of Burlington Street to approximately 13 m northerly, as shown on Appendix "B" attached hereto, be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990 and that the necessary alteration By-law be prepared by the Commissioner of Public Works and Traffic in a form satisfactory to the City Solicitor and advertised by the City Clerk; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized and directed to undertake these works once all the approvals are received; and,
 - (c) That the cost of work estimated at \$1,600 be charged to Account No. CH56103 60144 - Sidewalks Special Projects.
30. That the by-laws be enacted to authorize construction of local improvements of the following:
 - (a) Independent concrete sidewalks on the north side of Stone Church Road from Upper Wellington Street to Upper Wentworth Street; and,
 - (b) Concrete alley, first south of Hunter Street from Bay Street to approximately 83.5 m westerly (east-west portion only).
31.
 - (a) That in accordance with the Provincial Government's 3 Rs Regulations which mandate leaf and yard waste composting, the Commissioner of Public Works and Traffic be authorized to implement a leaf and yard waste collection program, on a six-month trial basis, in accordance with the following criteria:
 - (i) Leaf and yard waste will be collected separately from regular household garbage and recyclables; and,
 - (ii) The collection period will be from April 15th to December 15th and a Christmas tree collection in January; and,
 - (iii) Collection will be on an every other week basis with collection days designated as per the attached Appendix "C"; and,
 - (iv) There will be no leaf and yard waste collection for statutory holidays nor will there be "make up" days for lost statutory day collections; and,

- (v) Leaf and yard waste will only be collected when properly placed at curbside and packaged in clear plastic bags with a thickness of at least 1.5 thousandths of an inch, not more than 2.75 cubic feet, capable of holding 50 lbs or 22 kg; or in suitable reusable garbage cans/containers designated by the official leaf and yard waste logo as illustrated in Appendix "D"; or in the case of brush and garden debris tied in compact bundles not more than four feet in length; and,
- (vi) The Department of Public Works and Traffic will make available and distribute through the mail, vinyl stick on leaf and yard waste logos for use by residents in designating specific reusable containers for leaf and yard waste, on a request basis and for an amount of \$1 each sticker; and,
- (vii) Each individual "lift" of leaf and yard waste ie. each bag or container of material shall not exceed 50 lbs or 22 kg; and,
- (viii) Grass clippings will not be collected. Property owners will be encouraged to recycle grass clippings onto their lawn, or compost grass clippings or take them directly to their local transfer stations; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to inform the Citizens of Hamilton and affected agencies of the leaf and yard waste collection program through local media, promotions and educational seminars as may be required and within existing budgets; and,
- (c) That in order to facilitate a program start which recognizes operational issues for both the City of Hamilton and the Region of Hamilton-Wentworth, the program start date for 1996 be September 16. **REFERRED BACK WITH THE FOLLOWING INSTRUCTIONS:**

"That staff be directed to investigate the lack of compliance of the Provincial Government's 3R's regulations in other municipalities and the Ministries non-enforcement of this Regulation. **CARRIED.**

- 32. (a) That the construction of forty (40) concrete apron approaches estimated at \$57,000 on the south side of Stone Church Road East between Upper Wentworth Street and Upper Wellington Street be funded from the 1996 Capital Levy (City's Share of Locals - Residential); and,

- (b) That the Commissioner of Transportation be authorized and directed to construct these works on behalf of the City of Hamilton; and,
 - (c) That the Commissioner of Environment be requested to review the policy concerning construction of approaches under Schedule "E" of City of Hamilton Subdivision Agreements.
- 33.
- (a) That authorization be given to the Commissioner of Public Works and Traffic to issue a purchase order in the amount of \$306,571.26 inclusive of G.S.T. (\$20,056.06) to commission H.I.P. Hot-in-place Recycling Equipment Inc. of Agincourt, Ontario to supply all necessary labour, materials and equipment to undertake hot in-place recycling of asphalt paving on various City streets, this being the lowest quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C15-20-96; and,
 - (b) That this expenditure be financed from residual funds available in the 1995 Reconstruction Program Account No. CF5295 42001; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor; and,
 - (d) That the Commissioner of Transportation be authorized and directed to undertake the road improvements on Inverness Avenue East between Upper Wentworth Street and East 15th Street in conjunction with the Regional sewer work at an estimated cost of \$93,000; and,
 - (e) That this expenditure be financed from Account No. CF5295 42001 - 1995 Reconstruction Program; and,
 - (f) That the 7% overhead charges by the Region estimated at \$250,000 not eligible for funding in the Canada/Ontario Infrastructure Works Projects M16101-07 and M16101-08 be financed from the 1995 Reconstruction Program Account No. CF5295 42001.
34. That the City Traffic By-law No. 89-72 be amended to provide that vehicles displaying Ministry of Transportation "Disabled Person Parking Permits" may be parked at on-street parking meters without depositing coins in the meter, but only for a maximum of three consecutive hours.

35. (a) That Alderman H. Merling, Alderman T. Jackson and Alderman B. Charters be appointed to work with the Region in the landfill site remediation/environmental monitoring operations for the Upper Ottawa Landfill Site to ensure that the Region's actions harmonize with the City's current and future operation; and,

(b) That the Region be requested to consider the above recommendation and requested to forward a summary report to the City on the environmental issues as they understand them, with associated proposals for remedial action.
36. That ceremonial "Liszt Avenue" street designation signs honouring the composer Franz Liszt be installed on MacNab Street from King Street to Hunter Street and that the cost for this undertaking be financed by private donations; and,
37. That the Hamilton Parking Authority be requested to waive the parking fees at all Municipal Parking Lots within the Downtown Core from Friday Evening to Sunday Evening on a three month trial basis. **AMENDED.**
38. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) A-31 A By-law to Incorporate City Land Designated as Part 3 on Plan 62R-13733 into Appleblossom Drive
 - (b) A-32 A By-law to Incorporate City Land Designated as Block 13 on Plan 62M-753 into Brigadoon Drive
 - (c) A-33 A By-law to Authorize the construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks on the north side of Stone Church Road from Upper Wellington Street to Upper Wentworth Street
 - (d) A-34 A By-law to Authorize the construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of a concrete alley first south of Hunter Street from Bay Street to approximately 83.5 m westerly (east-west portion only)
 - (e) A-35 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (f) A-36 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(g) A-37 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

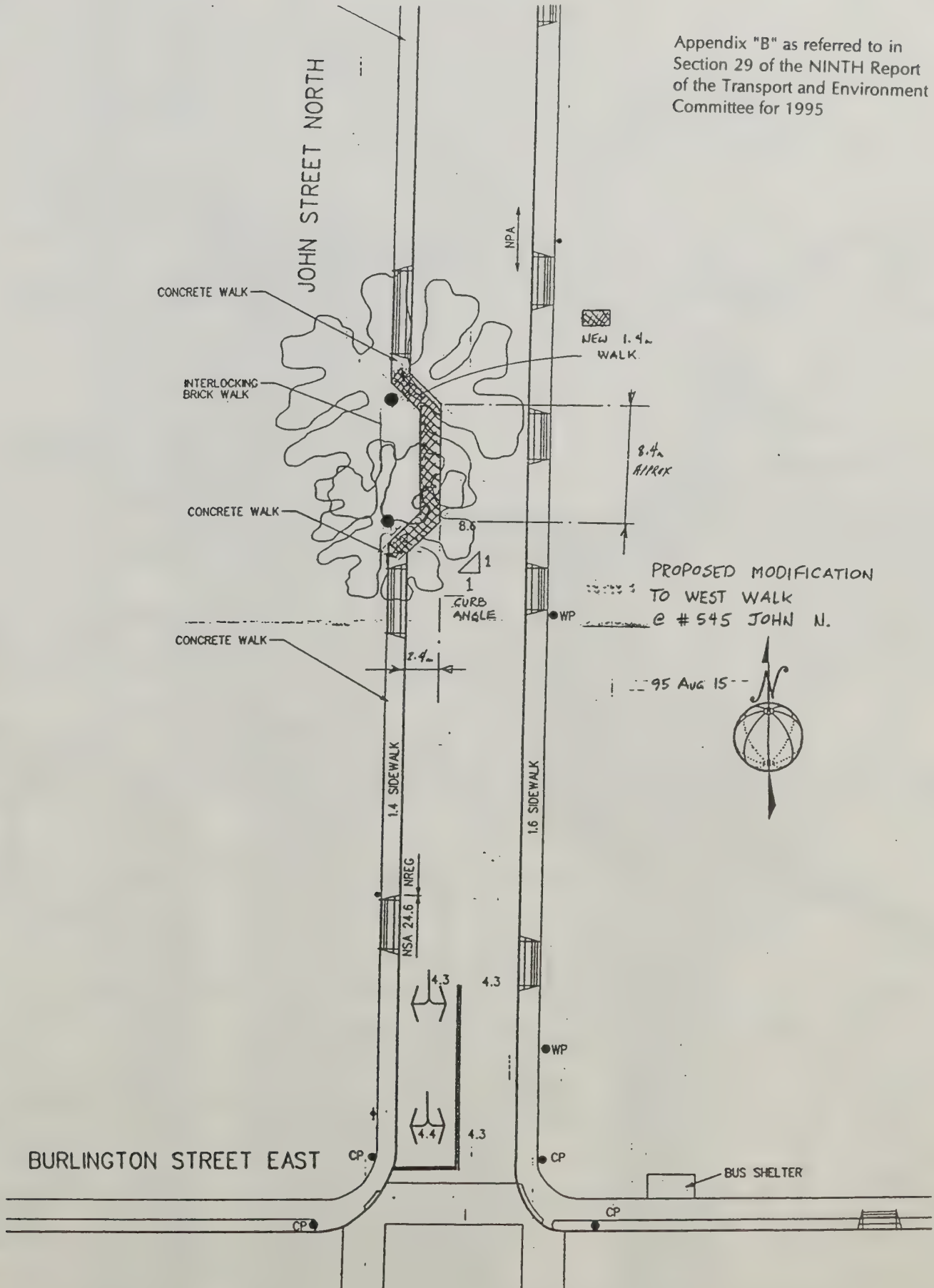
ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 June 17

Appendix "A" as referred to in
Section 26 of the NINTH Report
of the Transport and Environment
Committee for 1996

Location	Municipal Address	Owner	Type of Encroachment	First Year/ Annual Fee
Grosvenor Avenue North	294 Grosvenor Avenue North	Ronald E. Spencer	Existing porch measuring approximately 6' x 0" wide encroaching approximately 1' - 0" onto Grosvenor Avenue North	\$138/\$20
King Street East and St. Clair Avenue	904 King Street East	1112824 Ontario Ltd.	A portion of the building measuring approximately 0.63' x 20' - 0" encroaching onto St. Clair Avenue	\$138/\$20

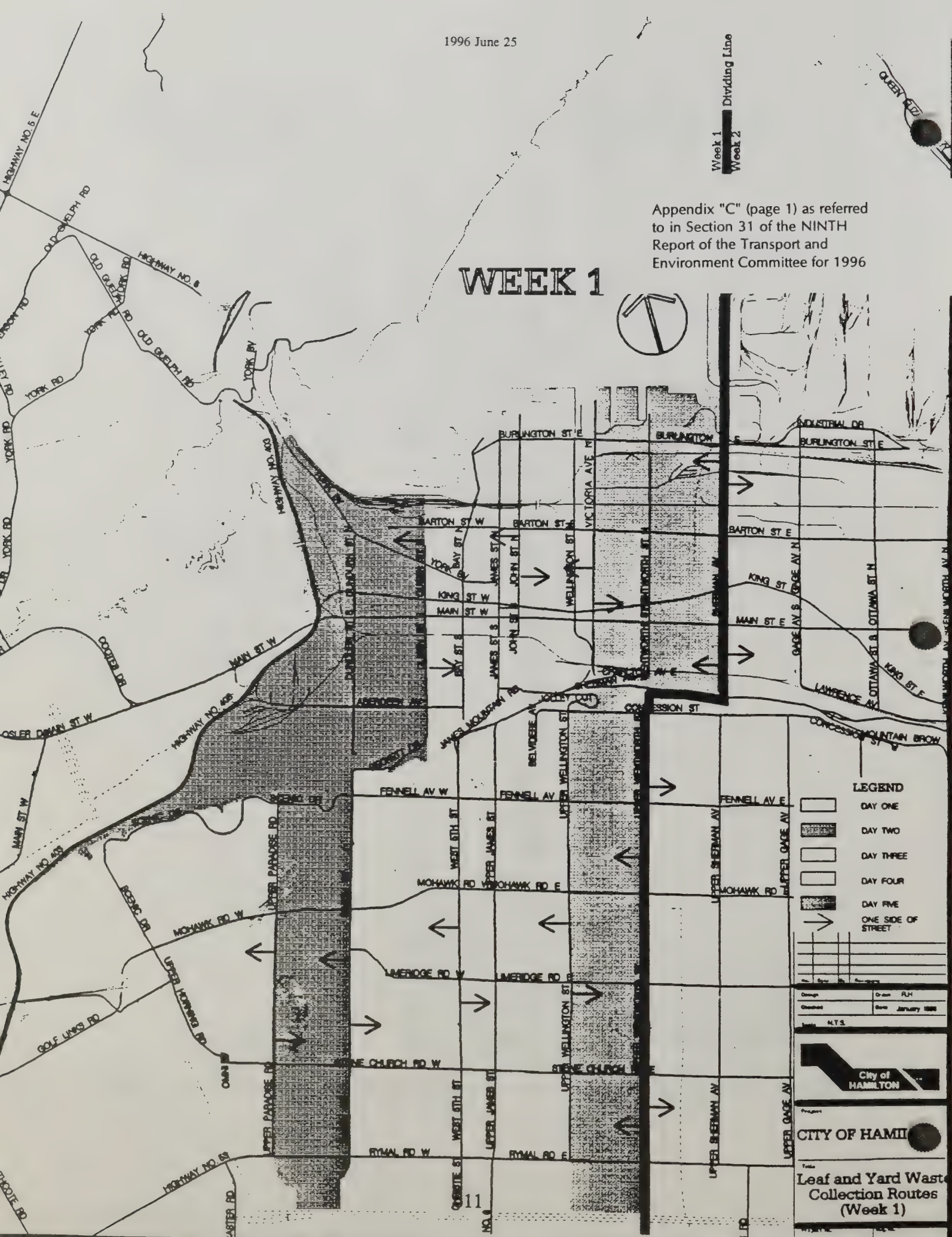
Appendix "B" as referred to in
Section 29 of the NINTH Report
of the Transport and Environment
Committee for 1995



Week 1
Week 2
Dividing Line

Appendix "C" (page 1) as referred to in Section 31 of the NINTH Report of the Transport and Environment Committee for 1996

WEEK 1

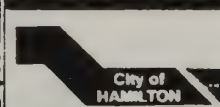


LEGEND

- DAY ONE
- DAY TWO
- DAY THREE
- DAY FOUR
- DAY FIVE
- ONE SIDE OF STREET

Drawn	Drawn
Checked	Checked
Date	Date

City of Hamilton
N.T.S.



CITY OF HAMILTON

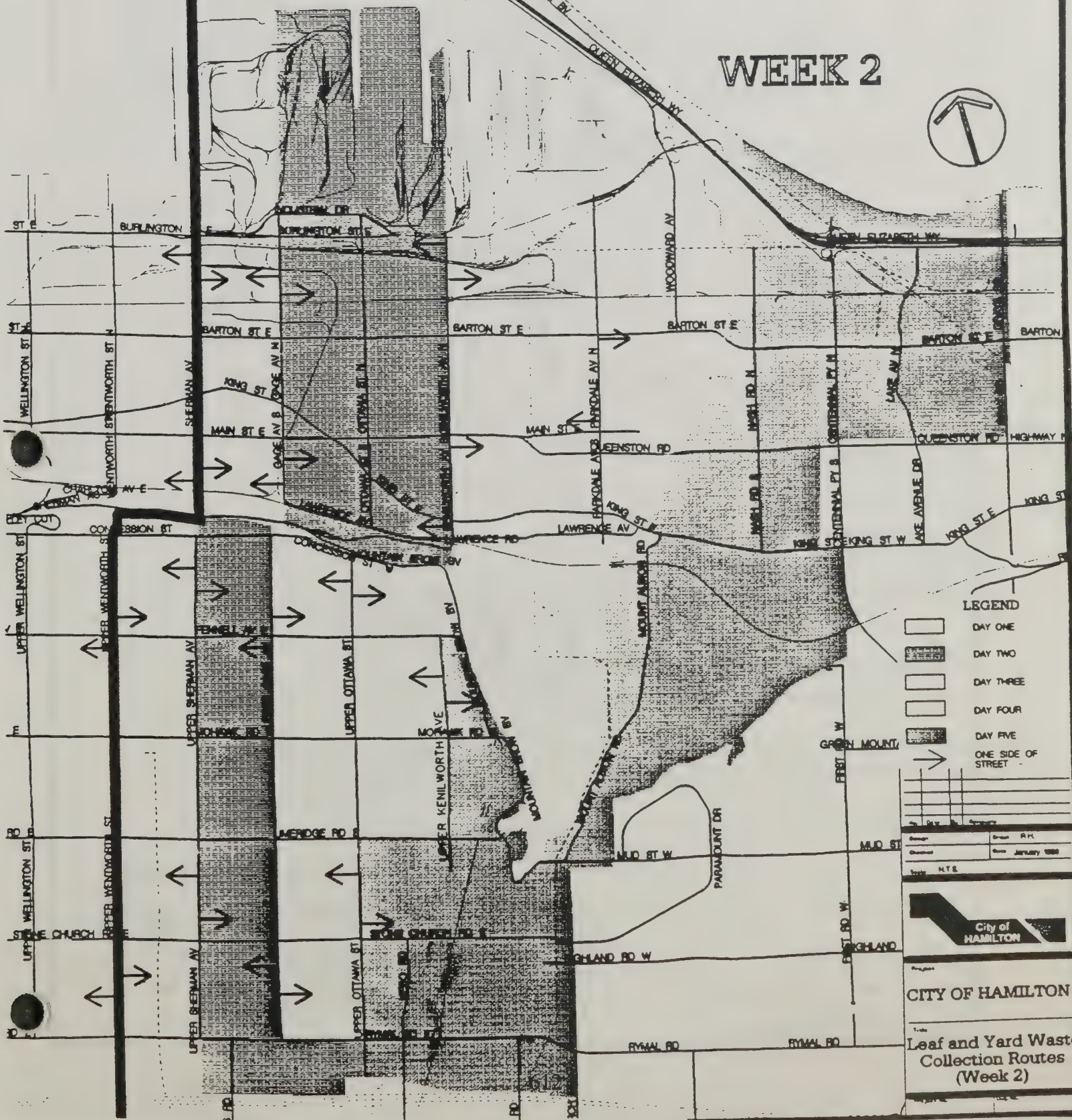
Leaf and Yard Waste
Collection Routes
(Week 1)

Appendix "C" (page 2) as referred to
in Section 31 of the NINTH
Report of the Transport and
Environment Committee for 1995

WEEK 2



Week 1
Week 2

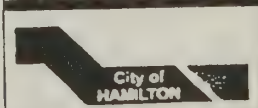


LEGEND

- DAY ONE
- DAY TWO
- DAY THREE
- DAY FOUR
- DAY FIVE
- ONE SIDE OF STREET

Scale	1:10,000
North Arrow	True North

Drawn	By R.H.
Checked	By January 1990
Scale	N.T.S.



CITY OF HAMILTON

Leaf and Yard Waste
Collection Routes
(Week 2)

Appendix "D" as referred to in
Section 31 of the NINTH
Report of the Transport and
Environment Committee for 1996



SIZE APPROX. 16" (.40 m) DIAMETER



Project **LEAF & YARD WASTE
COMPOSTING PROGRAM**

Title **DECAL FOR OTHER PUBLIC
WORKS VEHICLES**

Date **SEPT. 1994**

Scale **N.T.S.**

Dwg. No.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1996 and respectfully recommends:

1. That approval be given to deaccession and transfer the items listed on Appendix "A", attached hereto, to Dundurn Castle for archival and research purposes.
2. That the Director of Culture and Recreation be authorized to apply for a grant under Human Resource Development Canada's Canadian Jobs Strategy Section 25 Programme to request the position of Museum Assistant for a period of up to 52 weeks at no cost to the City.
3. (a) That approval, as required by Parks By-law No. 95-126, Section 37, be given to the Friends of the Hamilton Children's Museum to bring animals into Gage Park on the occasion of the 18th Birthday Party for the Hamilton Children's Museum to be held on 1996 July 18 (raindate 1996 July 19) subject to the following terms and conditions:
 - (i) That proof of insurance be provided in the amount of \$2 million for Comprehensive General Liability, Property Damage, Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the exhibitors assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be approved at the applicant's expense; and,
 - (iv) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,

- (b) That approval, as required by Parks By-law No. 95-126, Sections 29, 30 and 33, be granted for seven exhibitors to park their cars/trucks and trailers on the grass at the east and south sides of the south parking lot at the Hamilton Children's Museum during the Birthday Party event on 1996 July 18 (raindate 1996 July 19); and,
 - (c) That approval be granted to the Director of Culture and Recreation to contract the Krasic Group to barbecue and sell food and beverages during the Hamilton Children's Museum's Birthday Party to be held on 1996 July 18 (raindate 1996 July 19) in Gage Park and that twenty percent of the gross sales from the concessions from the Krasic Group be deposited in the Hamilton Children's Museum Trust Account No. CH 4X999 00403 - Friends of the Hamilton Children's Museum.
- 4.
- (a) That approval be granted to the Director of Culture and Recreation to contract John Bokstein to barbecue and sell food and beverages, Streetables to sell ice cream and The English Butler to sell giftwares during the Canada Day Tattoo to be held on 1996 July 1 and An Evening in Scotland on 1996 August 25 in Dundurn Park; and
 - (b) That John Bokstein and Streetables sell food as noted above during the "Made by Hand" special event held on July 6-7 in Dundurn Park; and,
 - (c) That twenty-five percent of the gross sales from the concession from John Bokstein, Streetables and The English Butler be deposited in the following accounts: **AMENDED.**
 - (i) Proceeds from the Canada Day Tattoo to the Hamilton Military Museum Account No. CH 48098 71105; and,
 - (ii) Proceeds from An Evening in Scotland to be split between the Hamilton Military Museum Account No. CH 48096 71105 and Dundurn Castle Trust Account No. CH 4X999 00408; and,
 - (iii) Proceeds from "Made by Hand" to Dundurn Castle's Trust Account No. CH 4X999 00408.
5. That the Director of Culture and Recreation be authorized to charge a flat fee of \$5,000 per year for rental of baseball diamonds to Slo Pitch Ontario for the Ontario Provincial Championships through 1999.

6. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the Ontario Ladies' Golf Association Sectional Foursome on 1996 August 12, 9 o'clock a.m. at King's Forest Golf Course.
7. That approval be granted to the Caribbean Canadian African Community to charge \$3 for parking of vehicles in Bayfront Park on the occasion of their festival on 1996 August 17 and August 18 in Bayfront Park from 12:00 o'clock noon to 11:00 o'clock p.m.
8. That approval be given to Secondary Press to host the Fourth Annual Beasley Park Amateur Skateboard Jam and Street Art Competition on 1996 July 20 and July 21, from 11:00 o'clock a.m. to 6:00 o'clock p.m. in Beasley Park, subject to the following terms and conditions:
 - (a) That proof of insurance be provided in the amount of \$3 million for Comprehensive General Liability, Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (b) That the applicant assumes responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (c) That a Special Duty Officer, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (d) That Secondary Press enters into a Licence Agreement satisfactory to the City Solicitor; and,
 - (e) That the event be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.
9. That the rain check policy for Chedoke-Beddoe and Martin and King's Forest Golf Courses read as follows:
 - (a) Full 18 hole rain checks will be issued upon presentation of validated greens fee ticket if the course is closed for whatever reason by the Superintendent or the Pro in the absence of the Superintendent; and,
 - (b) No rain checks will be issued because of rain only.

10. That approval be given for the City to enter into a Licence Agreement, satisfactory to the City Solicitor, with Friends of Gage Park to use the Concession building in Gage Park for one (1) operating season, with an option for the City to renew, for a further three (3) operating seasons, with an additional option to renew for a further three operating seasons subject to the following terms and conditions:
- (a) The term of the agreement shall be 1996 July 1, to 1996 September 30, and for subsequent years, May 15th to September 30th; and,
 - (b) That the net profits derived from the operation be provided to the City for the purposes of park improvements; and,
 - (c) That the Friends of Gage Park be required to provide a minimum of \$3 million Comprehensive General Liability for Property Damage and Bodily Injury, and including Products Liability, subject to cross-liability and severability of interest provisions, naming the City of Hamilton as co-insured; and,
 - (d) The hours of operation will generally be between 4:30 o'clock p.m. and 7:30 o'clock p.m. during May, June and September and between the hours of 11:00 o'clock a.m. and 8:00 o'clock p.m.. during July and August; and,
 - (e) That the Concession building be used only for selling food and non-alcoholic beverages, and souvenir type products; and,
 - (f) That the products to be sold be subject to approval of the Director of Culture and Recreation; and,
 - (g) That the Friends of Gage Park be required to pay utility costs calculated on a flat fee per month basis; and,
 - (h) That the Friends of Gage Park maintain the Concession area at its own expense to the satisfaction of the Director; and,
 - (i) That the Friends of Gage Park be restricted from operating the concessions during major festivals, being It's Your Festival and Festival of Friends, unless specific approval to do so has been obtained in writing from the Festival organizers.

11. (a) That the City of Hamilton renew the existing land lease with the Macassa Bay Yacht Club which expires on 1996 November 30 for a new term of twenty (20) years, commencing 1996 December 1 and expiring on 2016 November 30, at the following rental rates:
 - (i) 1996 December 1 to 2001 November 30 at a rental rate of \$12,500 plus taxes; and,
 - (ii) 2001 December 1 to 2016 November 30 at a rental rate equal to the original rate (\$12,500) plus the yearly accumulated increase in the Consumer Price Index as published by Statistics Canada over the previous five (5) year period calculated on 2001 December 1, 2006 December 1 and 2011 December 1, plus taxes; and,
 - (b) That the rent received be credited to Account No. CH44104 31106 (Rental Civic Property - Civic Properties Rented); and,
 - (c) That the City of Hamilton grant conditional approval to the Lessee to construct a new two storey Clubhouse subject to Lessee:
 - (i) agreeing that the City of Hamilton shall not be obligated to pay any undepreciated capital improvement costs, in the event the lease is terminated without renewal or ends after any renewal period or in the event that the lease is terminated, cancelled or ends; and,
 - (ii) at their sole expense applying for and obtaining site plan approval and a building permit; and,
 - (iii) causing all building plans to be approved by the Commissioner of Public Works and Traffic prior to the commencement of construction; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreement in a form satisfactory to the City Solicitor.
-
12. (a) That approval as required by Parks By-law No. 95-126, Section 11(2) and Section 32 be given to the Grey Cup 1996 Hamilton Inc. to have alcohol and extend the hours of entrance in a park as follows:

Alcoholic Beverages in a Park

- (i) Brian Timmis Stadium -
1996 November 24 from 2 o'clock p.m. - 2:00 o'clock a.m.
- (ii) Scott Park Baseball Diamonds -
1996 November 24 from 2 o'clock p.m. - 2:00 o'clock a.m.
- (iii) Scott Park Arena -
1996 November 24 from 2 o'clock p.m. - 2:00 o'clock a.m.

subject to the following terms and conditions:

- (aa) That proof of insurance satisfactory to the City Solicitor be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
- (bb) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (cc) That alcoholic beverages may be served in the confined area of a tent and arena on the above mentioned dates and times, upon receipt of approval of the Liquor Licence Board of Ontario; and,
- (dd) That the applicant adhere to the regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcohol; and,
- (ee) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
- (b) That those organizers and their workers who are providing Alcoholic Beverages be encouraged to participate on a volunteer basis, in a "Server Intervention Training Program"; and,
- (c) That the Grey Cup '96 Hamilton Inc. Committee enter into a licence agreement satisfactory to the City Solicitor; and,
- (d) That the parking lots north of Cannon west of Balsam and south of Cannon west of Balsam be under the direction and use of the Grey Cup '96 Hamilton Inc. Committee for festival use on 1996, November 23 & 24; and,

- (e) That normal rent charges for Ivor Wynne Stadium for the week leading up to the Grey Cup Game/festivities be waived for the pre-game practices and event set-up; and,
- (f) That additional labour charges related to a late snow storm that may impede the stadium operation for the Grey Cup Game be paid by the Grey Cup Committee at the expense of \$51/hour and/or \$68 at double time if necessary; and,
- (g) That the following rental permit fees totalling \$50,740.84 be paid by the Grey Cup '96 Hamilton Inc. Committee as follows:

Liquor Licence processing fee	100
Gore Park - \$50.00/day rental fee	200
Scott Park Arena rental fee	12,000
Scott Park Baseball Diamonds - damage/repair deposit	1,000
Brian Timmis Field - damage/repair deposit	1,000
Ivor Wynne Stadium - Game Day rental fee	500
Game Day utility and operational costs at Ivor Wynne	\$35,940.84
Total fees	\$50,740.84

- (h) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
- (i) That staff be authorized to work with the Grey Cup '96 Hamilton officials to develop a strategy to allow access and egress for affected area residents adjacent to the stadium.

Recorded vote on 12 (a) (cc)

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Collins, Charters, Merling, Anderson, D'Amico, Ross.
-14.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

- 13. (a) That the purchase of service agreement with the Hamilton YWCA for delivery of seniors recreation services be increased by an amount of \$37,773 for 1996 only for the purposes of expanding seniors' recreation programs at the Ottawa Street YWCA and at the MacNab Street YWCA; and,

- (b) That the Treasurer and the Director of Culture and Recreation be authorized to issue a cheque in the approved amount, charged to Account No. 56612 78052 (\$10,249) and Account No. 56612 78056 (\$27,254), on the understanding that this unbudgeted amount has been made available due to savings in not filling one full-time position in the Community Services Division for the remainder of 1996; and,
 - (c) That the Hamilton YWCA be encouraged to submit a grant application for consideration during the 1997 current budget process.
14. That approval be granted to extend the Purchase Order previously granted to Iceco Arena Services and Equipment Inc. as approved by Council on 1996 March 26 as Section 24 of the Fifth Report of the Parks and Recreation Committee for 1996, for a further period commencing 1996 June 24 and concluding 1996 September 29, at a cost of \$128,000 inclusive of G.S.T. for the ice maintenance, cleaning and administration of the Chedoke Twin Pad Arena. **AMENDED.**
15. (a) That, within the context of the existing lease arrangement with Scott-MacDonald Limited, staff be authorized to act on the following terms and conditions:
- (i) A public pedestrian access shall be retained by the City extending across that part of the land being leased comprised of the existing asphalt path installed by the City, upon the following terms:
 - (aa) access is open to public use weekends (Friday to Sunday) extending from 1996 June 7 to 1996 September 2 inclusive, plus any "long" holiday weekends during the aforementioned months; and,
 - (bb) The hours of access shall be Friday 5:00 p.m. to 10:00 p.m.; Saturday, 9:00 a.m. to 10:00 p.m., Sunday 9:00 a.m. to 10:00 p.m. and on any statutory holiday from 9:00 a.m. to 10:00 p.m.; and,
 - (cc) Access shall be for the sole purposes of enabling the public to pass between Pier 4 Park and Bayfront Park; and,

- (ii) During such times the pedestrian access is open to the public,
 - (aa) the City shall indemnify the Lessee against any claim which may arise as a result of the public's use of the access, (excepting claims for business losses of the Lessee); and,
 - (bb) the City shall provide, at its cost, one (1) security guard to be stationed along the public access, to control activity thereon at a cost of \$5,675.28 for weekend openings between June 7 and September 2 inclusive; and,
 - (cc) the City shall provide, at its cost, regular cleanup of debris as a result of the public's use of the access; and,
 - (b) That the costs associated with this initiative be charged against General Park Maintenance 621020.
- 16.
 - (a) That an amount of \$5,000 be provided to assist in defraying the overall cost associated with hosting the first Joint Conference of the Ontario Association of Cemeteries and the Ontario Funeral Services Association being held at Hamilton Convention Centre, 1996 September 15 to September 18; and,
 - (b) That the Finance and Administration Committee recommend the method of financing.
- 17. That the new Cremation Section at Mount Hamilton Cemetery be named the "William Morden Urn Garden" in memory of William Allen Morden who lost his life while performing his duties as an employee of the City of Hamilton.
- 18.
 - (a) That the City enter into an agreement with the Greater Hamilton Food Share for the use of the following City owned lands for Community Garden Projects, be approved:
 - (i) Part of 2400 King St E - 36m (118ft) x 66m (216ft), more or less; and,
 - (ii) Part of 169 Mud St - 66m (216ft) x 66m (216ft), more or less; and,
 - (iii) Part of 1530 Upper Sherman (Billy Sherring Park) - 66m (216ft) x 66m (216ft), more or less; and,

- (iv) Part of 1086 West 5th (Connell Park) - 50m (165ft) x 50m (165ft), more or less; and,
- (v) Part of 948 Mohawk Rd W (Olympic Park) - 40m (130ft) x 55m (180ft), more or less; and,
- (vi) Part of 140 Lake Ave N - 38 m (125ft) x 44m (145ft), more or less; and,
- (b) That the City Solicitor be directed to prepare the necessary agreement; and,
- (c) That this approval continue until such time as the subject lands are required for municipal purposes, as long as the Greater Hamilton Food Share comply with the terms of the above noted agreement; and,
- (d) That all costs and labour associated with the preparation, planting, providing of water, harvesting, signing, reinstatement and security of the garden project site are to be borne by the Greater Hamilton Food Share; and,
- (e) That the City during the term of this agreement prescribe the hours of operation of the project; and,
- (f) That the Greater Hamilton Food Share provide proof of premises and operation insurance in the amount of no less than \$2,000,000 for bodily injury, death and damage to property, including loss of property, naming the City as an additional insured; and,
- (g) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 June 18

Appendix "A" as referred to in
Section 1 of the Ninth Report of
the Parks and Recreation Committee
for 1996

Accession Number	Subject
OC.571.1	View on James Street 1871
OC.566.1	Dundurn Castle (front view)
979.OC.266.26	Historic House
OC.568.1	View of City of Hamilton
979.OC.509.1	Portrait of a Gentleman
979.OC.269.30	Gage Homestead
OC.565.1	Watercolour - proposed Dundurn Bathing Park
OC.566.2	Dundurn Castle (rear view)
979.OC.228.1	Photo: Hamilton
979.OC.336.1	"How Hamilton was Financed"
979.OC.266.29	Board of Clark Management Certificate
OC.123.10	Photo: United Empire Loyalists
1979.34.1	Portrait
979.OC.271.8	Sketch of Mountain Drive
1979.OC.234.1	"The Gore Gazette"
OC.226.1	Newspaper clippings of Dundurn Castle

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1996 and respectfully recommends:

1. (a) That Subdivision Application SAC-95-03, "Eagleview Estates", Harp Homes Inc. and L. Vasilak, owners, as revised in red, requesting approval of a draft plan of subdivision, comprising of 7 lots for small lot single family dwellings, 18 lots for single detached dwellings, 2 blocks for road widenings, and 11 blocks for future development with adjacent lands as single detached dwellings, under Regional File 25T-95014(R), as shown on the attached map marked as APPENDIX "A", be approved on the following basis:
 - (i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke and Associates and certified by B.J. Clarke, O.L.S., dated 1995 May 10, showing 7 lots for small lot single family dwellings (Lots 1-7 inclusive), 18 lots for single detached dwellings (Lots 10-27 inclusive), 2 blocks for road widenings (Blocks 39 and 40), 3 blocks for 0.30m reserves (Blocks 8, 9 and 41) and 11 blocks for future development with adjacent lands as single detached dwellings (Blocks 28-38 inclusive); and,
 - (ii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
 - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
 - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
 - (v) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
 - (vi) That the Owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,

- (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (viii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (ix) That Blocks 28 - 38 inclusive, on the red-line revised plan, must be developed in conjunction with adjacent lands; and,
- (x) That the Owner provide a functional servicing report for this development in order to accommodate the external drainage areas to the satisfaction of the Manager of Development, Regional Environment Department; and,
- (xi) That a 5 x 5 metre landscaping daylight triangle at the north corner of Dulgaren Street and Upper Sherman Avenue be established if access is permitted for Lot 1 onto Dulgaren Street, and that, if access for Lot 1 is permitted onto Dulgaren, access be restricted to the east limit of Lot 1; and,
- (xii) That in order to ensure adequate access is provided to the subject lands, all required roadway connections within the Plan of Subdivision to Upper Sherman Avenue and Eleanor Avenue be established and constructed to the full width, prior to development of the subject lands to the satisfaction of the Manager of Traffic Planning, Traffic Division, Department of Public Works and Traffic; and,
- (xiii) That the Final Plan of Subdivision be revised to provide a 2 x 2 metre daylight triangle for road widening purposes at the north-west corner of Lot 23; and,
- (xiv) That the Owner dedicate Blocks 39 and 40 for road widening purposes to the Regional Municipality of Hamilton Wentworth and that Blocks 39 and 40 have a minimum width of 5.18m; and,
- (xv) That prior to the creation of Blocks 30, 31, 32, 33, 34 and 35, Dulgaren Street be closed and disposed of by the City; and,
- (xvi) That Dulgaren Street, west of Eleanor Street and east of the subject lands, must be constructed to its full width to the satisfaction of the Manager of Development, Regional Environment Department; and,

- (xvii) That the owner provide any temporary turning circles or cul-de-sacs required at the termination of any streets to the satisfaction of the Manager of Development, Regional Environment Department. These details are dependent on the development staging of adjacent lands and will be confirmed at such time as the subdivision plan is registered and construction drawings submitted for review and approval; and,
 - (xviii) That Blocks 36 and 37 not be registered until such time as Block 37 has direct frontage along a public highway in accordance with the City of Hamilton Zoning By-law No. 6593; and,
 - (xix) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton; and,
 - (xx) That the owner enter into a subdivision agreement with the City of Hamilton and the Region of Hamilton-Wentworth to satisfy all financial and engineering requirements of the City and Region, prior to the development of any portion of these lands; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-95014(R)), Harp Homes Inc. and L. Vasilak, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
 - (d) That amended Zoning Application ZAC-95-13, Harp Homes Inc. and L. Vasilak, owners, requesting changes in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1", from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District for Block "2", and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Blocks "3" and "4", as shown on the attached map marked APPENDIX "B" be approved on the following basis:
 - (i) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District; and,

- (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District; and,
 - (iii) That Blocks "3" and "4" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (iv) That the Director of the Planning and Development Department be directed to prepare a By-law in a form satisfactory to the City Solicitor to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
 - (vi) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
2. That approval be given to Zoning Application 96-04, George Lima, owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, for property located at 18 Homewood Avenue, shown on the attached map marked as APPENDIX "C", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of the subject lands until the applicant has applied for and received Site Plan Control Approval for the required parking layout, grading and landscaping.

City Council may remove the 'H' symbol, and thereby give effect to the "D" Modified District provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,
 - (b) That the "D" (Urban Protected Residential - One and Two Family Dwellings) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10 (1) of Zoning By-law No. 6593, the existing building may be used as a multiple dwelling containing not more than four (4) Class "A" dwelling units, subject to the Residential Conversion Requirements of Section 19; and,

- (ii) That notwithstanding Section 18A (11) & (12) of Zoning By-law No. 6593, a landscaped planting strip having a minimum width of 1.5 m (5.0 ft) shall be provided and maintained along the northerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within the landscaped planting strip, except for the area occupied by the existing garage; and,
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1362, and that the subject lands on Zoning District Map W-14 be notated S-1362; and,
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14 for presentation to City Council; and,
- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1.

CARRIED.

- 3. (a) That approval be given to Official Plan Amendment No. 135 to redesignate lands from "Major Institutional" to "Residential" and "Open Space" (as shown on APPENDIX "D" attached hereto); to create a new Schedule "J-1" for the Chedmac Secondary Plan Planning Area (as shown on APPENDIX "E" attached hereto); and to establish new policies relating to the introduction of a new Schedule "J-1" for lands owned by Chedoke Health Corporation, bounded by Rice Avenue, Mohawk Road West, Magnolia Drive and Scenic Drive; and,
- (b) That the Mountview Neighbourhood Plan be amended in accordance with Schedule "J-1" of Official Plan Amendment No. 135; and,

- (c) That approval be given to City Initiative OPA-MTV, Chedoke Health Corporation, owner, for changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Recreation and Open Space) District for Block "1"; from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District for Block "2"; from "AA" (Agricultural) District to "RT-20" - 'H' (Townhouse - Maisonette - Holding) District for Block "3"; from "AA" (Agricultural) District to "DE-3" - 'H' (Multiple Dwellings - Holding) District for Block "4"; for modifications to the established "AA" (Agricultural) District regulations applicable to Block "5"; and from "B" (Suburban Agriculture and Residential, etc.) District to "AA" (Agricultural) District, modified for Block "6", for property located in the Mountview Neighbourhood, bounded by Rice Avenue, Mohawk Road West, Magnolia Drive, and Scenic Drive, as shown on the attached map marked as APPENDIX "F", on the following basis:

- (i) That Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Recreation and Open Space) District; and,
- (ii) That the amending By-law apply the holding provision of Section 36(1) of the Planning Act, R.S.O. 1990, to Block "2", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District for Block "2". The holding provision will prohibit the development of the subject lands until such time as the following conditions have been fulfilled:
 - (1) Servicing is available for the subject lands to the satisfaction of the Manager of Development, Development Division, Regional Environment Department; and,
 - (2) Approval of a draft plan of subdivision has been granted by the Regional Municipality of Hamilton-Wentworth.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District - modified provisions as stipulated in this By-law by enactment of an amending By-law once the conditions are fulfilled; and,

- (iii) That Block "2" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,

- (iv) That the amending By-law apply the holding provision of Section 36(1) of the Planning Act, R.S.O. 1990, to Blocks "3" and "4", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District for Blocks "3" and "4". The holding provision will prohibit the development of the subject lands until such time as the following conditions have been fulfilled:
 - (1) Servicing is available for the subject lands to the satisfaction of the Manager of Development, Development Division, Regional Environment Department; and,
 - (2) Completion of noise mitigation measures, to the satisfaction of the Ministry of Environment and Energy, to address noise generated from the hospital laundry facility.

City Council may remove the 'H' symbol, and thereby give effect to the "RT-20" and "DE-3" District - modified provisions as stipulated in this By-law by enactment of an amending By-law once the conditions are fulfilled; and,
- (v) That Block "3" be rezoned from "AA" (Agricultural) District to "RT-20" - 'H' (Townhouse - Maisonette - Holding) District; and,
- (vi) That the "RT-20" (Townhouse - Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "3", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10E.(3) of Zoning By-law No. 6593, no building or structure shall exceed one and one-half (1-1/2) storeys and 9.5 m (31.16 feet) in height; and,
 - (2) That notwithstanding Section 10E.(2) of Zoning By-law No. 6593, a community centre with a capacity of not greater than sixty persons, only to be used in conjunction with and accessory to the principal use shall be permitted; and,
- (viii) That Block "4" be rezoned from "AA" (Agricultural) District to "DE-3" - 'H' (Multiple Dwellings - Holding) District; and,

- (ix) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to Block "4", be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only one of the following uses shall be permitted:
 - (aa) a Home for Elderly Persons, restricted to housekeeping units with or without culinary space, in a building of not greater than six storeys in height; or,
 - (bb) townhouse dwelling units subject to Section 10E of Zoning By-law No. 6593 and the provisions of Section (c)(vi)1. of this By-law; and,
 - (2) In addition to the permitted uses specified in Section (c)(ix)1.(aa) of this By-law, an amenity centre of not less than 500 square metres, accessory to the residential use specified in Section (c)(ix)1.(aa) of this By-law, shall be required;
 - (aa) for the purposes of this By-law, "Amenity Centre" shall include one or more of the following uses:
 - 1) Administrative Offices;
 - 2) Chapel;
 - 3) Library;
 - 4) Activity and Exercise rooms;
 - 5) Lounges;
 - 6) Dining Room;
 - 7) Variety Store;
 - 8) Hairdresser.
- (x) That Block "6" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "AA" (Agricultural) District; and,
- (xi) That the "AA" (Agricultural) District regulations, as contained in Section 7A of Zoning By-law No. 6593, applicable to Blocks "5" and "6", be modified to include the following variances as special requirements:

- (1) that notwithstanding Section 7A.(1), only the following uses shall be permitted:
 - (aa) a public and private hospital and accessory uses thereto;
 - (bb) a day nursery;
 - (cc) a public parking lot in accordance with the regulations of Section 13C of Zoning By-law No. 6593;
 - (dd) a residential care facility for not greater than 40 persons;
 - (ee) a sanatorium;
 - (ff) medical offices;
 - (gg) laboratory.
- (2) that notwithstanding Section 7A.(2) of Zoning By-law No. 6593, the following height restrictions shall apply:
 - (aa) except as provided in clause 2(bb), where a building or structure is distant not greater than 30.0 metres from a Residential District as specified in Section 2(2)A of Zoning By-law No. 6593, the height of a building or structure shall not exceed three storeys; and,
 - (bb) where a building or structure is distant not less than 30.0 metres from a Residential District as specified in Section 2(2)A of Zoning By-law No. 6593, the height of a building or structure shall not exceed six storeys; and,
- (3) Section 18.(2)(iia) of Zoning By-law No. 6593 shall not apply to Blocks "5" and "6"; and,
- (xii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1363, and that the subject lands on Zoning District Maps W-36 and W-37 be notated S-1363; and,
- (xiii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-36 and W-37 for presentation to City Council; and,
- (xiv) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 135; and,

- (d) That Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be amended by adding Blocks "5" and "6" to Schedule "A"; and,
 - (e) That the Ontario Municipal Board and the Regional Municipality of Hamilton-Wentworth be advised that this report, including the recommended Official Plan Amendment and rezonings, represent the consensus position of Hamilton City Council, the Mountview Mediation Committee, and Chedoke Health Corporation on the proposed development of the lands owned by Chedoke Health Corporation; and,
 - (f) That the Ontario Municipal Board be requested to direct the Regional Municipality of Hamilton-Wentworth to resume the file on the Mountview Neighbourhood and approve the Official Plan Amendment.
 - (g) That the residents' concerns respecting traffic at the intersection of Magnolia Drive and Lavina Crescent and at the intersection of Sanatorium Road and Rice Avenue and the ongoing concerns respecting the installation of a storm water retention pond be addressed through the Subdivision process.
4. That approval be given to City Initiative 96-F respecting the elimination of the density requirement (ie. min. 65 m² of lot area/unit) for multiple dwellings in the "I" District, on the following basis:
- (a) That the "I" (Central Business District, etc.) District regulations as contained in Section 15 of Zoning By-law No. 6593, be amended as follows:
 - (i) That Section 15.(4)(iii) be amended by deleting the words "or of at least 65.0 square metres (699.68 square feet) per dwelling unit, whichever is the greater, and" in the third, fourth and fifth lines thereof; and,
 - (ii) That Section 15.(5) be renumbered as Section 15.(5a); and,
 - (iii) That a new Section 15.(5b) be added as follows:

"15.(5b) Notwithstanding subsection (5a), for multiple dwellings the maximum gross floor area shall not be more than 2.85 times the area of the lot."
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

5. That approval be given to City Initiative 96-E for a modification to Zoning By-law No. 6593 for the Westdale South Neighbourhood, as shown on the attached map marked as APPENDIX "G", to regulate the size and bulk of dwellings in the "C" (Urban Protected Residential, etc.) District, "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, "G" (Neighbourhood Shopping Centre, etc.) District and "H" (Community Shopping and Commercial, etc.) District on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That the total gross floor area of all dwelling units or parts thereof on each lot shall not exceed 0.45 times the lot area; and,
- (ii) Notwithstanding Section 2.(2)J.(viii) of Zoning By-law No. 6593, "Gross Floor Area" is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:
 - (1) an attached garage;
 - (2) a detached garage;
 - (3) the floor occupied by heating, air conditioning and laundry equipment; and,
- (iii) For the purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9; and,
- (iv) In addition to the requirements of Section 18A, where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade; and,
- (v) That notwithstanding Section 9.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height; and,
- (vi) That Section 18(2)(i) of Zoning By-law No. 6593 shall not apply to the Westdale South Neighbourhood; and,

- (b) That notwithstanding Section 10.(1)(i) of Zoning By-law No. 6593, a single family dwelling is permitted subject to the provisions of Section 9 and Section 1.(a) of this By-law; and,
 - (c) That notwithstanding Section 11.(1)(i) of Zoning By-law No. 6593, a single family dwelling is permitted subject to the provisions of Section 9 and Section 1.(a) of this By-law; and,
 - (d) That notwithstanding Section 13.(1)(i) of Zoning By-law 6593, a single family dwelling is permitted subject to the provisions of Section 9, and Section 1.(a) of this By-law; and,
 - (e) That in addition to the requirements of Section 14 of Zoning By-law No. 6593, a single family dwelling is permitted subject to the provisions of Section 1.(a) of this By-law; and,
 - (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1361, and that the subject lands on Zoning District Maps W-22, W-23, W-32, W-33, W-34, W-39 and W-40 be notated S-1361; and,
 - (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-22, W-23, W-32, W-33, W-34, W-39 and W-40 for presentation to City Council; and,
 - (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
6. (a) That the City Solicitor be authorized and directed to amend Section 6 of Land Drainage By-law No. 80-245, as amended, to include items (i) to (v) inclusive as follows:
- (i) Where a site design is prepared by a Professional Engineer and includes a Stormwater Management Study, and the design is acceptable to the *City Engineer*, and approved by the City after 1996 June 25, roof leaders may be discharged to the ground surface; and, **AMENDED.**
 - (ii) Where a Stormwater Management Study has been approved for a development, the recommendations in the study must be implemented; and,

- (iii) Where roof leaders are not required to be connected to the storm sewer, the roof water shall discharge onto splashpads and then onto grassed and/or landscaped areas at least 0.6 metres from the building face; and,
 - (iv) The areas of the lot required to be sodded, must be sodded prior to the issuance of a grading certificate; and,
 - (v) Roof leaders shall not discharge directly onto a sidewalk or driveway; and,
- (b) That the Building Commissioner be authorized and directed to prepare a report to make revisions to the Property Standards By-law No. 94-185, as required, to eliminate any inconsistencies with the recommendations in this report; and,
 - (c) That the City request that the Region be directed to further review the Ministry of Environment and Energy's "Stormwater Management Practices Planning and Design Manual, June 1994" to develop specific stormwater management policies and lot grading guidelines for use within the City of Hamilton.

REFERRED BACK WITH THE FOLLOWING INSTRUCTIONS:

That the Conservation Authority, Hamilton Home Builders Association and the Regional Environmental Services Department be invited to the next meeting of the Planning and Development Committee.

Recorded vote on referral back as amended.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.
-15

NAYS: Mayor Morrow. -1.

CARRIED.

- 7. (a) That a fee of \$800, including certification be set for a consent application to the Committee of Adjustment under Section 53 of The Planning Act; and,
- (b) That the City Solicitor be authorized and directed to prepare the appropriate By-Law amendment to By-Law No. 92-093, respecting fees payable for applications to the Committee of Adjustment.

8.
 - (a) That a review of the City administered rehabilitation loan programs be undertaken with a view to streamlining and strengthening policies and procedures, and focussing and maximizing the goals and benefits of the loan programs; and,
 - (b) That the review be conducted by an inter-departmental staff team convened and chaired by the General Manager, Housing and Loans Division, Building Department; and,
 - (c) That a recommendation report from the Building Commissioner on the loan programs be brought back to the Planning and Development Committee by 1996 November 1.
9.
 - (a) That the City Solicitor prepare a By-law incorporating the necessary amendments to the procedural By-law in accordance with the Municipal Act which delegates the responsibility for holding public meetings to the Planning and Development Committee to include responsibility for public meetings on subdivision applications; and,
 - (b) That the City of Hamilton, on behalf of the Region, give notice and hold the formal public meeting with respect to Draft Plans of Subdivision; and,
 - (c) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of Council's decision.
10.
 - (a) That the Main Street West Esplanade Business Improvement Area (B.I.A.) boundaries be expanded to include Main Street West from Dundurn Street to Locke Street; and,
 - (b) That the City Clerk's Department be authorized and directed to circularize the existing and proposed expansion area with the notice of intent to amend the designating By-law in accordance with Section 220 of the Municipal Act; and,
 - (c) That the Law Department be authorized and directed to prepare the necessary amending By-law.

11.
 - (a) That a purchase order be issued to L. M. Enterprises in the amount of seventy one thousand and ninety dollars and eighty cents, (\$71,090.80) including all taxes and contingency. L. M. Enterprises is the lowest of six tenders received in accordance with specifications issued by the Purchasing Division and the vendor's proposal; and,
 - (b) That this expenditure be financed through the Crown Point East/McAnulty Neighbourhood Revitalization Phase 1 Account No. CF 4200 429407001; and,
 - (c) That a contract be entered into satisfactory to the City Solicitor.

12.
 - (a) That a purchase order be issued to L.M. Enterprises in the amount of thirty seven thousand and thirty two dollars and seventy cents (\$37,032.70) including all taxes and contingency. L.M. Enterprises is the lowest of six tenders received in accordance with specifications issued by the Purchasing Division and the vendor's proposal; and,
 - (b) That this expenditure be financed through the Crown Point East/McAnulty Neighbourhood Revitalization Phase 1 Account No. CF 4200 429407001; and,
 - (c) That a contract be entered into satisfactory to the City Solicitor, upon the legal agreement between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, (giving the City the permission of the Region to develop the surface of Pipeline Park between Province Street and Huxley Avenue for use as a park) being signed by all signing authorities prior to the commencement of construction.

13.
 - (a) That a secured loan in the amount of twenty-three thousand and eighteen dollars (\$23,018) to Loriann Stokes, Kevin Stokes, and Richard Kebick, c.o.b. as Silvestri's Paradise of Flowers, for improvements to 274 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 3 1/4 per cent, amortized over 10 years, and;
 - (b) That a grant from the Barton Street Revitalization Fund in the amount of eleven thousand, five hundred and nine dollars (\$11,509) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

14. That the Building Commissioner be authorized to issue a demolition permit for 8 Dundurn Street North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

15. That the Building Commissioner be authorized to issue a demolition permit for 10 Dundurn Street North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

16. That the Building Commissioner be authorized to issue a demolition permit for 12 Dundurn Street North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

17. That the Building Commissioner be authorized to issue a demolition permit for 14 Dundurn Street North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

18. That the Building Commissioner be authorized to issue a demolition permit for 11 Tuxedo Avenue North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
19. That the Building Commissioner be authorized to issue a demolition permit for 128 Hope Avenue in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
20. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-96-74, respecting property located at No. 229 Kenilworth Avenue North.
21. (a) That approval be granted to application CDM-CONV-95-005 submitted by Roy Megna (In Trust), owner, for a draft plan of condominium for property located at Nos. 352-356 Hunter Street East and 122 Emerald Street South to provide for a condominium comprised of a 3 storey apartment building containing 22 individual apartment condominium units, subject to the following conditions:
- (i) That this approval applies to the draft plan dated 1996 March 6 prepared by Consoli and Jacobs Surveying Ltd., O.L.S.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,

- (iii) That prior to approval of the final plan,
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan; and,
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law No. 6593; and,
 - (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-005); and,
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,
 - (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
 - (c) That the Mayor and the City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
22. (a) That approval be granted to application CDM-CONV-95-002 submitted by Bruno Megna (In Trust), owner, for a draft plan of condominium for property located at No. 93 Emerald Street South to provide for a condominium comprised of a 5 storey apartment building containing 20 individual apartment condominium units, subject to the following conditions:

- (i) That this approval applies to the attached draft plan dated 1995 March 23 prepared by B.J. Clarke, O.L.S.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,
 - (iii) That prior to approval of the final plan,
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan, and,
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law No. 6593; and,
 - (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-007); and,
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,

- (c) That the Mayor and the City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
23. That a Heritage Permit be approved to remove the existing aviary cages formerly attached to Dundurn Castle.
24. (a) That Section 5 of the NINTH Report of the Planning and Development Committee for 1996 as adopted by City Council on 1996 May 28 respecting a Heritage Permit for the Dundurn Castle Stable Building be rescinded in its entirety; and,
- (b) That a Heritage Permit be approved for the revised proposal for the ventilation and kitchen exhaust required for the conversion of the Dundurn Castle Stable Building to a Conference Centre as shown on the drawings attached hereto and marked as APPENDIX "H".
25. That the City nominate Rob Brough for the Ontario Heritage Foundation's Heritage Community Recognition Program which honours individuals who are making lasting and significant contributions to heritage conservation.
26. (a) That an Agreement by Owner to Accept Compensation, executed by Freddie Pilgrim and Edith Ilse Pilgrim on 1996 May 14 and to be completed on or before 1996 July 5, for the lands expropriated on 1992 November 19, having a frontage of 8.53 metres (27.98 feet), more or less, on the east side of Birch Avenue, comprising an area of 191.5 square metres (2,061 square feet), more or less, more particularly described as Part 1 on Expropriation Plan No. 138710, municipally known as 386 Birch Avenue, be approved and completed, and the final compensation of \$8,760 be charged to Account No. CF 5590 308750001 (Alpha Enclave Clearance Program); and,
- (b) That an Agreement by Owner to Accept Compensation, executed by Carrier Canada Limited on 1996 March 27 and to be completed on or before 1996 July 5, for the lands expropriated on 1992 November 19, having a frontage of 8.53 metres (27.98 feet), more or less, on the east side of Birch Avenue, comprising an area of 191.5 square metres (2,061 square feet), more or less, more particularly described as Part 1 on Expropriation Plan No. 138710, municipally known as 386 Birch Avenue, be approved and completed, and the final compensation of \$2,180 be charged to Account No. CF 5590 308750001 (Alpha Enclave Clearance Program); and,

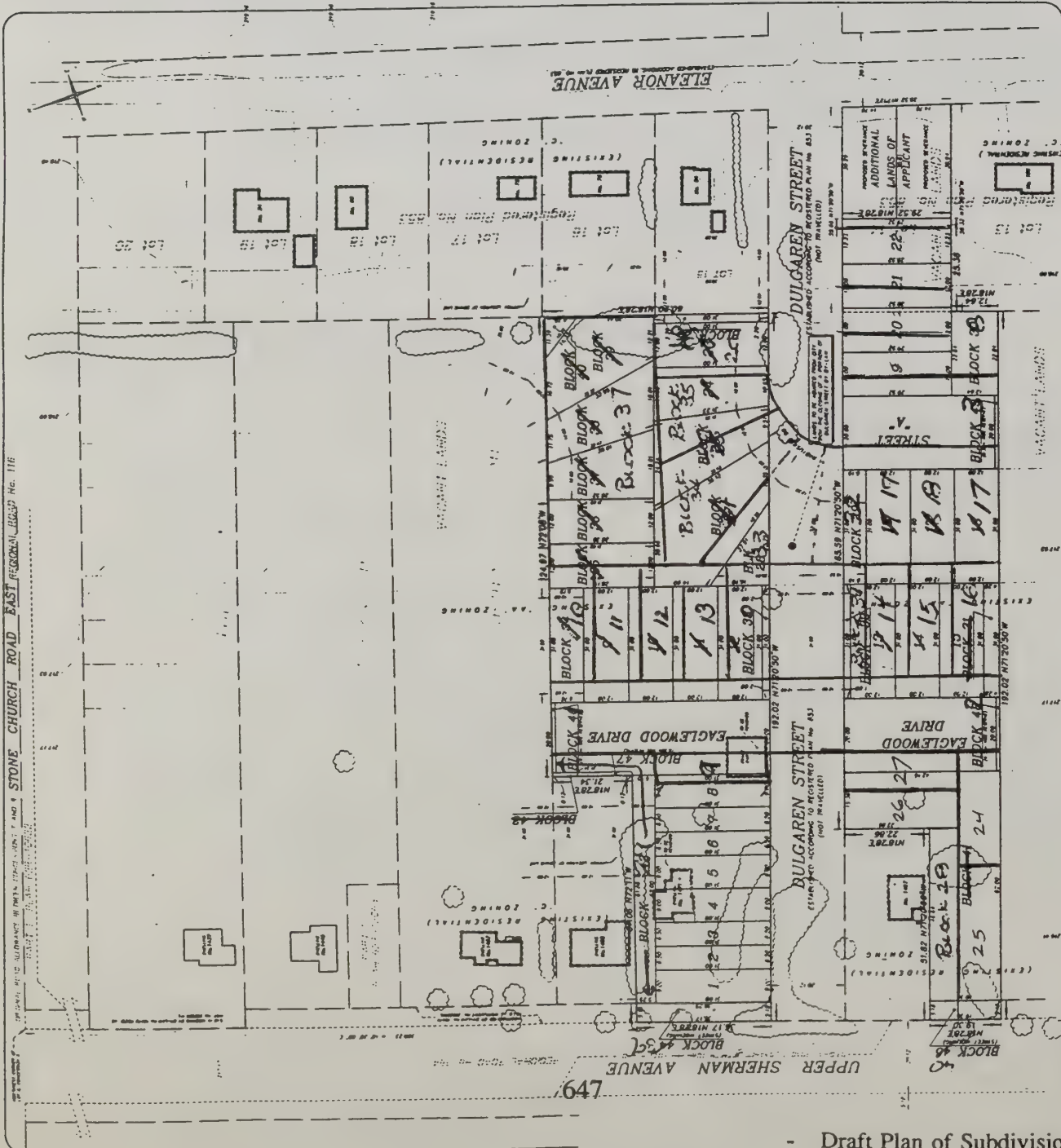
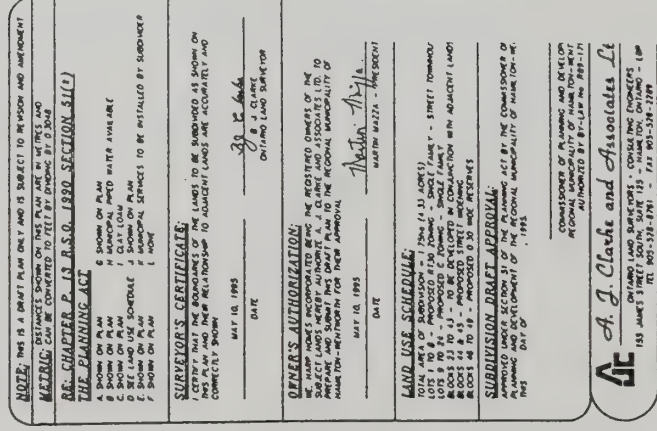
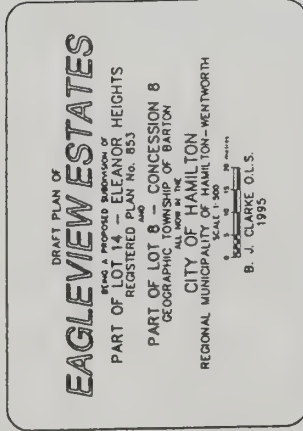
- (c) That a Release Agreement, executed by Revenue Canada, execution creditor, on 1996 May 23, for the lands expropriated on 1992 November 19, having a frontage of 8.53 metres (27.98 feet), more or less, on the east side of Birch Avenue, comprising an area of 191.5 square metres (2,061 square feet), more or less, more particularly described as Part 1 on Expropriation Plan No. 138710, municipally known as 386 Birch Avenue, be accepted, and the final compensation of \$604 be charged to Account No. CF 5590 308750001 (Alpha Enclave Clearance Program); and,
 - (d) That an Agreement for the release of title interest, executed by the Public Trustee of Ontario, on 1996 May 15, for the lands expropriated on 1992 November 19, having a frontage of 8.53 metres (27.98 feet), more or less, on the east side of Birch Avenue, comprising an area of 191.5 square metres (2,061 square feet), more or less, more particularly described as Part 1 on Expropriation Plan No. 138710, municipally known as 386 Birch Avenue, be approved and completed, and the acquisition cost of \$5,000 be charged to Account No. CF 5590 308750001 (Alpha Enclave Clearance Program); and,
 - (e) That the Mayor and the City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
27. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-25 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 475 Main Street East and 46 Grant Avenue; and,
 - (b) C-26 A By-law to Amend Zoning By-law No. 6593 Respecting Westdale South Neighbourhood; and,
 - (c) C-27 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 85 Robinson Street; and,
 - (d) C-28 A By-law to Delegate Authority to Give Consents Under the Planning Act to the Committee of Adjustment; and,
 - (e) C-29 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law Nos. 80-278, 82-225 and 90-272 Respecting Land Located at Municipal Nos. 39-41 Devonport Street; and,

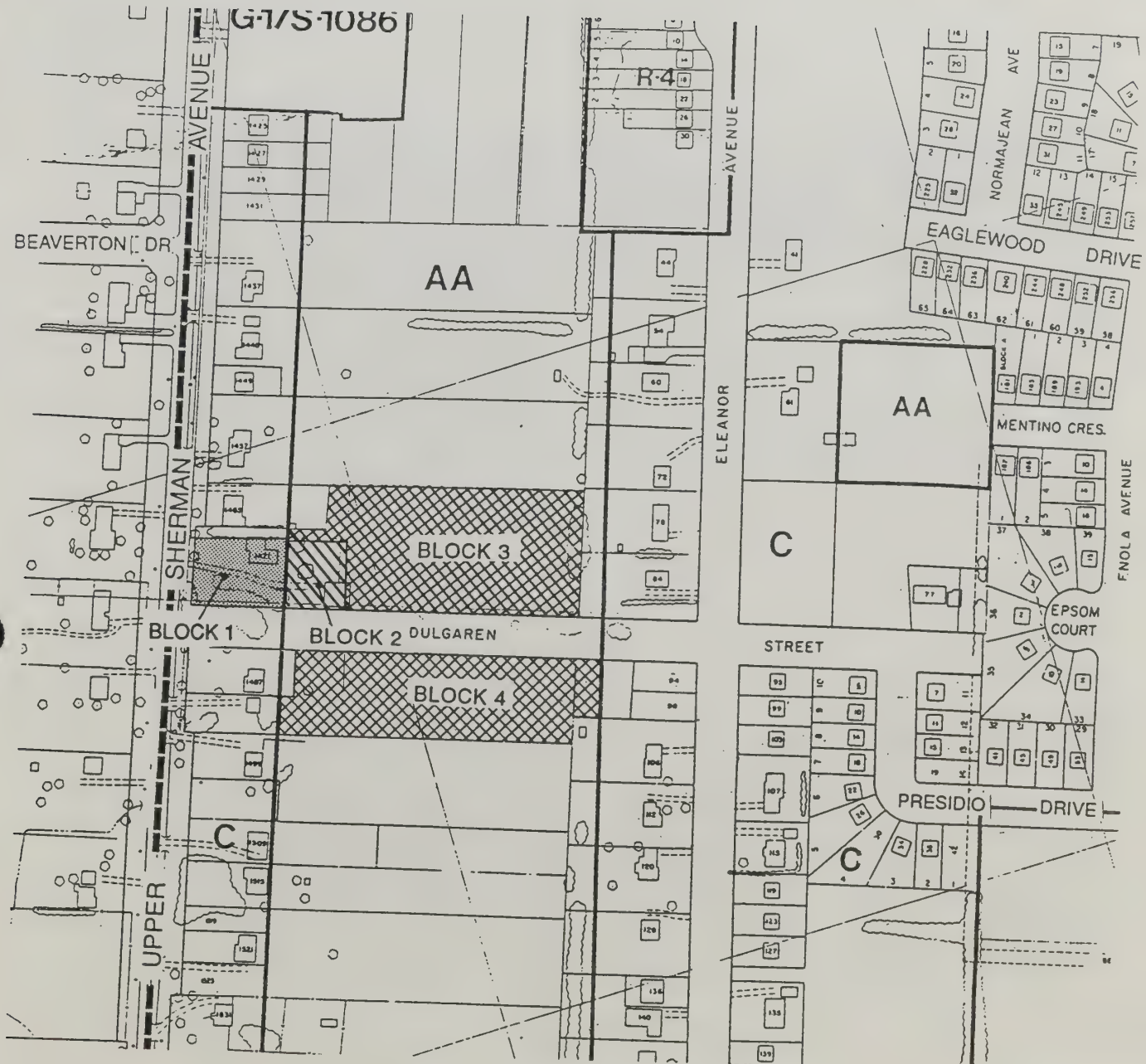
- (f) C-30 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law No. 91-207 Respecting Land Located at the South-West Corner of Chedman Drive and Rice Avenue; and,
- (g) C-31 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 775 and 779 Upper Wentworth Street; and,
- (h) C-32 A By-law to Designate Land Located at Municipal Nos. 1159 and 1155 Beach Boulevard as Property of Historic and Architectural Value and Interest; and,
- (i) C-33 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 90-351 Respecting Lands Located in the area East of Upper James Street and North of Chipman Avenue.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

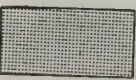
**Charlene Touzel, Acting Secretary
1996 June 19**



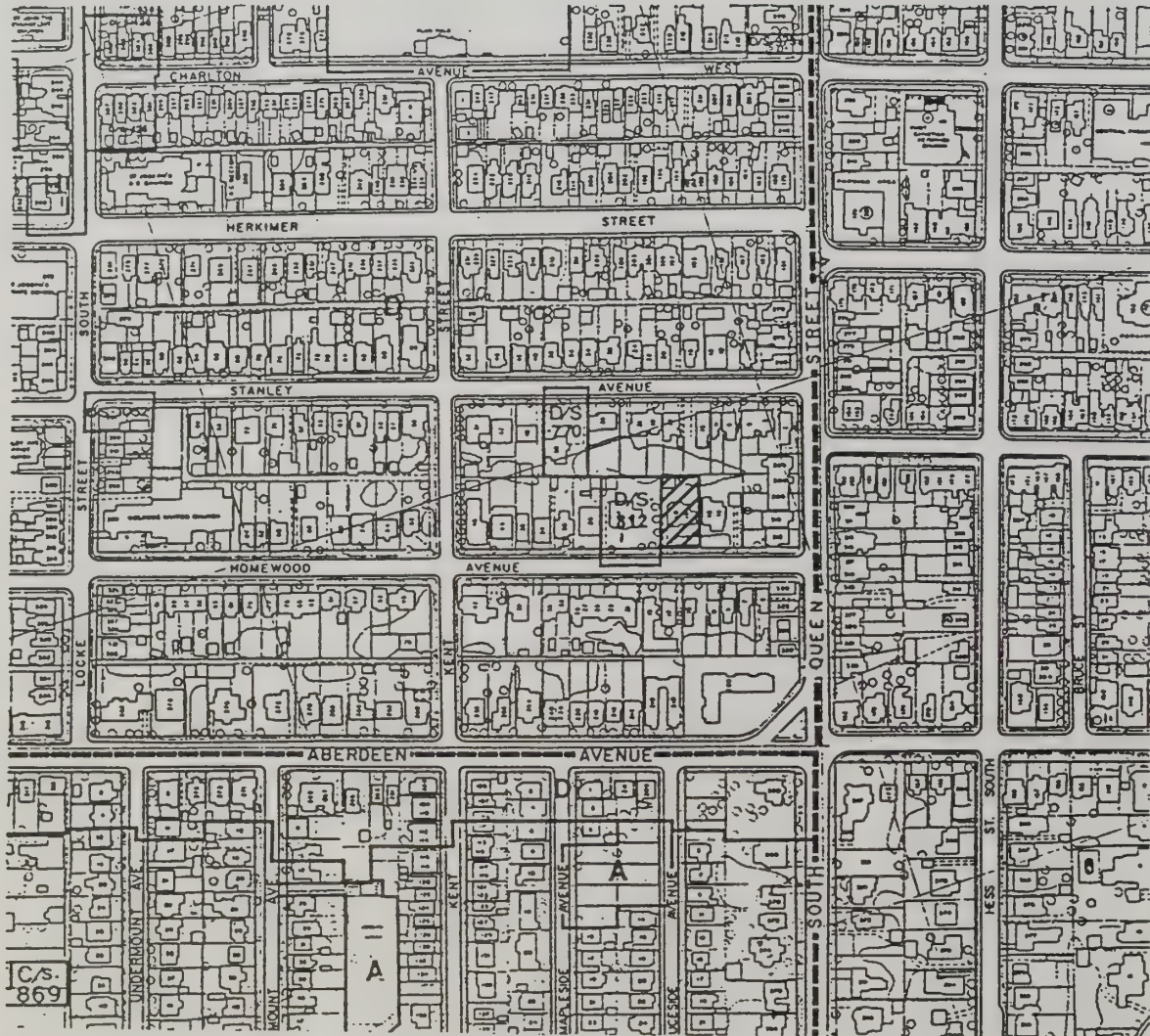


Legend

Proposed change in zoning from:

- | | | |
|-----------|---|---|
| BLOCK 1 |  | "C" (Urban Protected Residential, etc.) District, Modified, to "RT-30" (Street Townhouse) District. |
| BLOCK 2 |  | "AA" (Agricultural) District, to "RT-30" (Street Townhouse) District. |
| BLK 3 & 4 |  | "AA" (Agricultural) District, to "C" (Urban Protected Residential, etc.) District. |

648
ZAC-95-13



City of Hamilton

Plan Showing Lands Subject to

Application ZAR-96-04

Planning and Development Department

Legend



Site of the Application-

North



Scale
Not to Scale

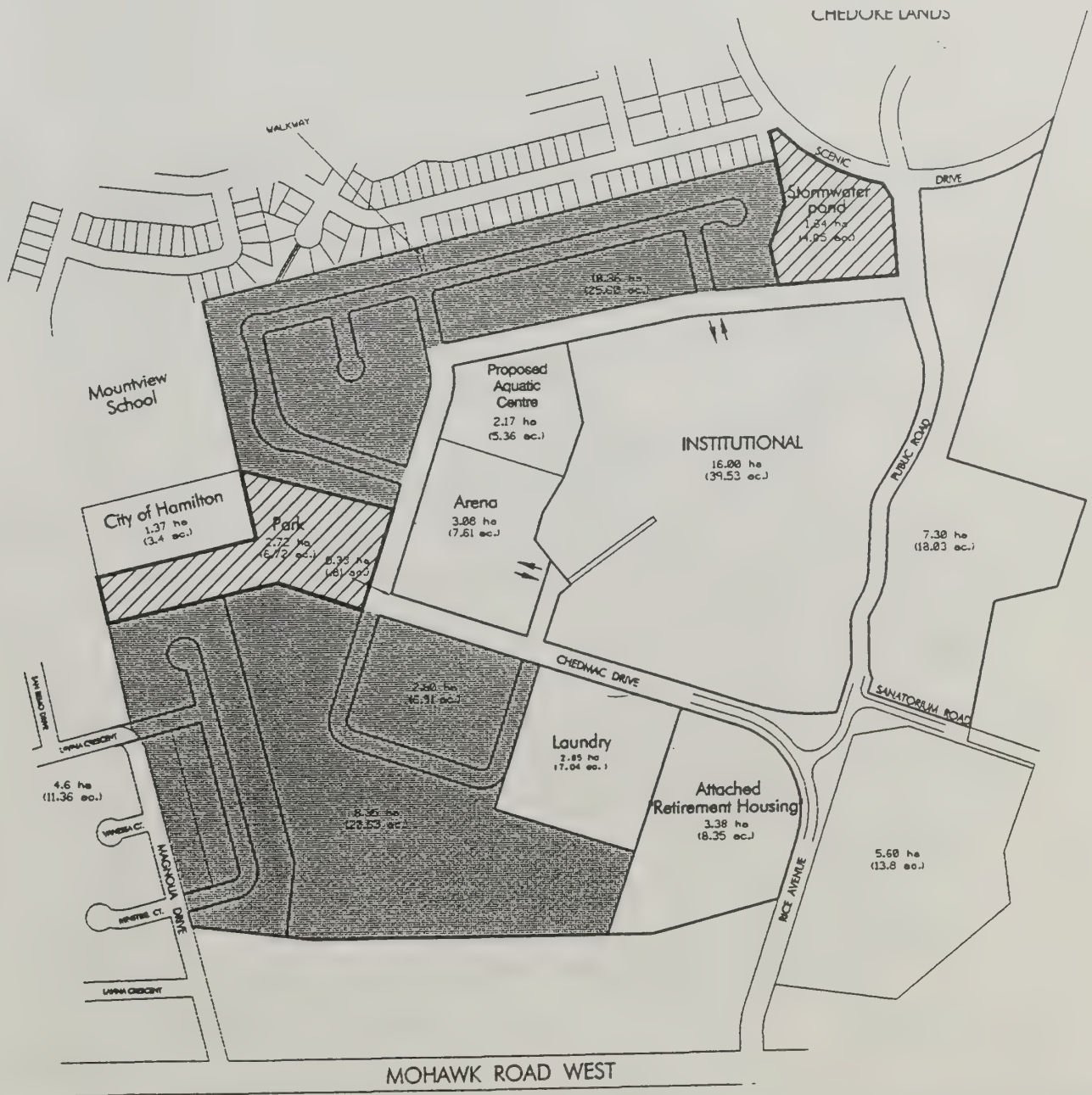
Date
MARCH 1996

Reference File No.

ZAR-96-04

Drawn By

F.A.



Schedule 'A' - Land Use Designations



Redesignation to "RESIDENTIAL"

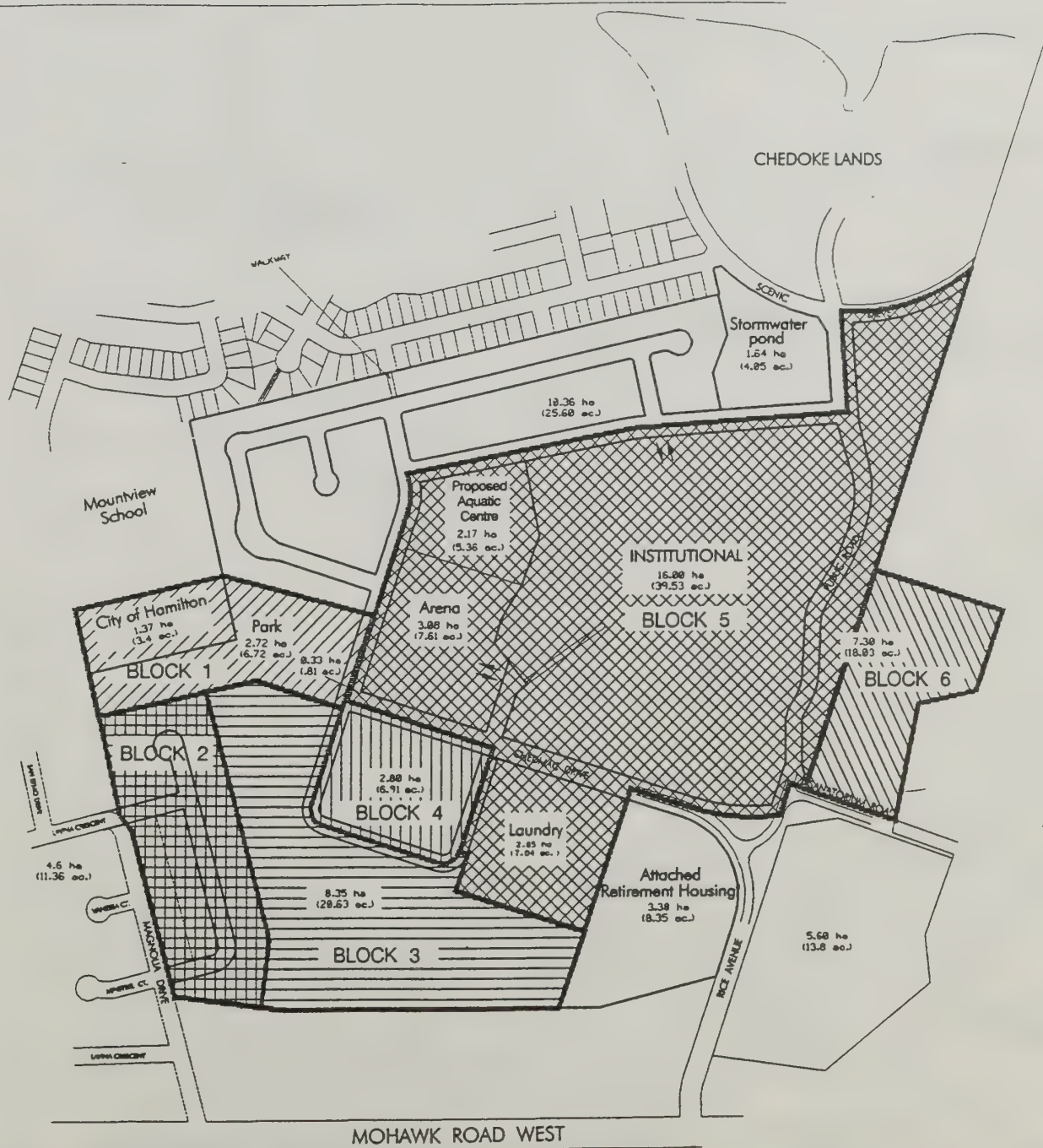


Redesignation to "OPEN SPACE"



Schedule "J-1" - Chedmac Planning Area Secondary Plan

	BLOCK "1" Open Space		BLOCK "5" Medium Density Residential I
	BLOCKS "2 & 3" Low Density Residential		BLOCK "6" Medium Density Residential II
	BLOCK "4" Park and Recreational		BLOCK "7" Institutional



Proposed Zoning By-Law changes

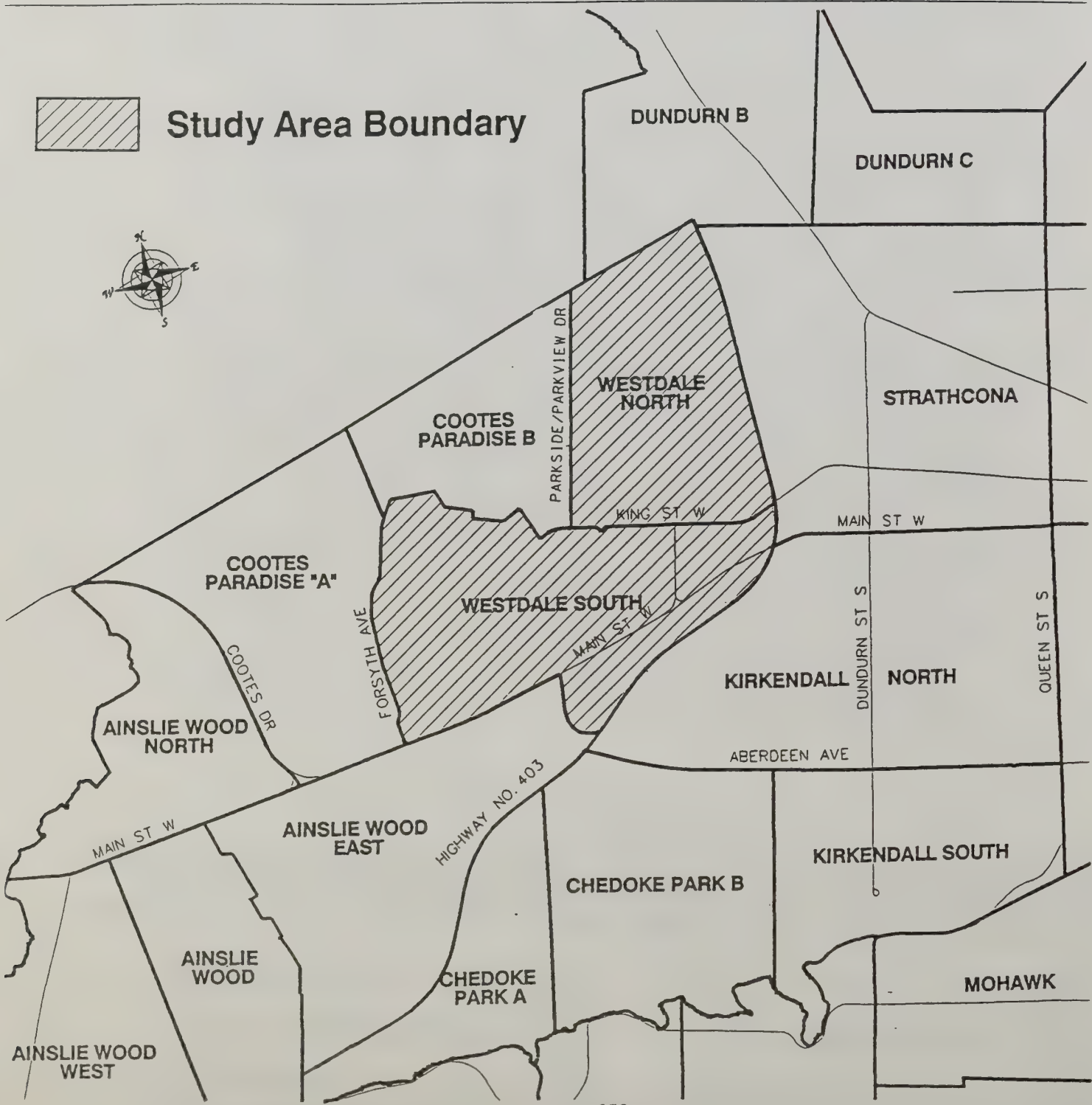
- BLOCK 1**
From "AA" (Agricultural) District to "A" (Conservation, Park, Recreation and Open Space) District
- BLOCK 2**
From "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District
- BLOCK 3**
From "AA" (Agricultural) District to "RT - 20" - "H" (Townhouses - Maisonette - Holding) District

- BLOCK 4**
From "AA" (Agricultural) District to "DE-3" - "H" (Multiple Dwellings - Holding) District
- BLOCK 5**
Modification to the established "AA" (Agricultural) District regulations
- BLOCK 6**
From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

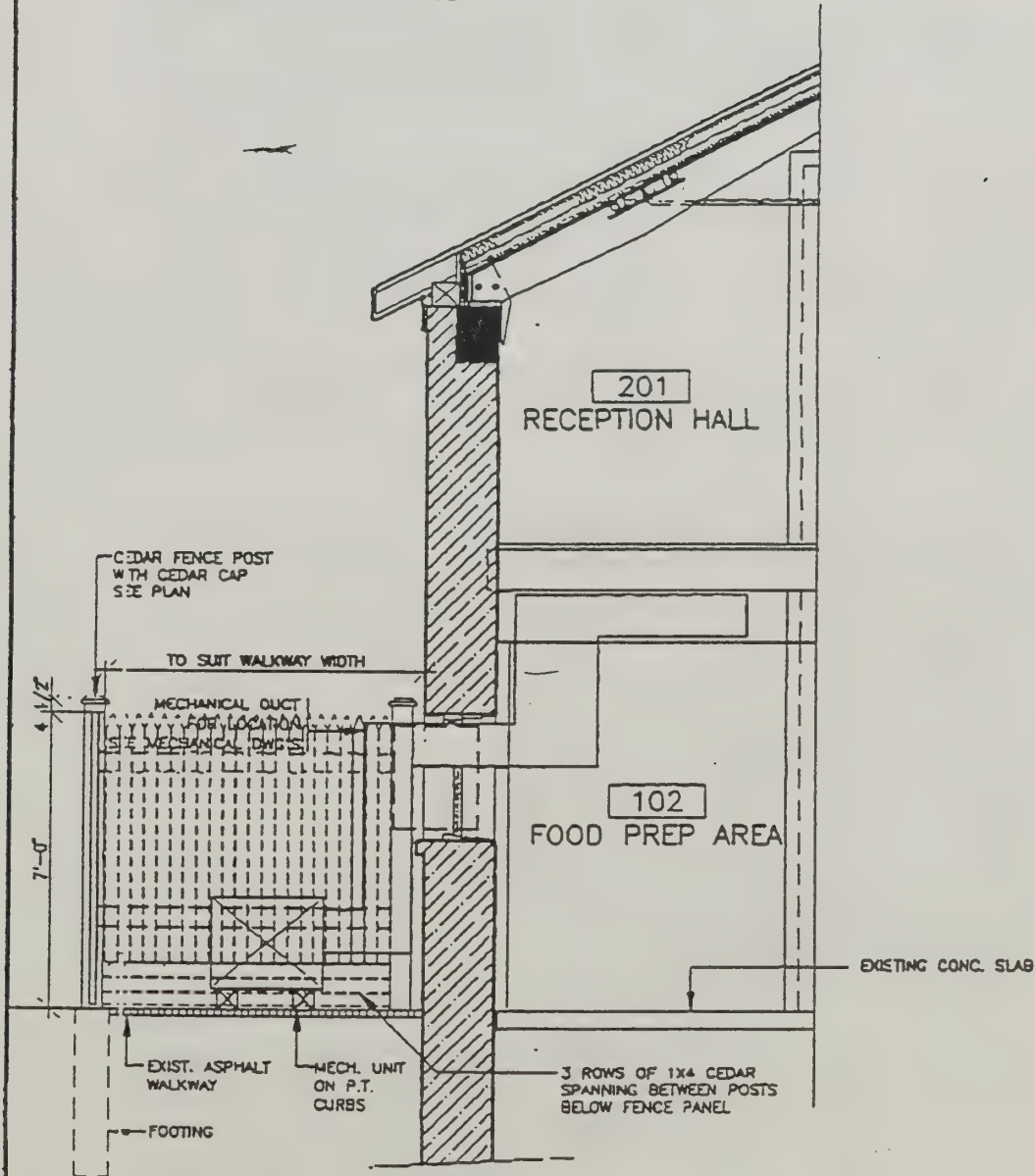
LOCATION MAP



Study Area Boundary



NOTE:
GATE TO BE SAME HEIGHT
AND CONSTRUCTION AS FENCE.
FOR LOCATION OF GATE REFER TO PLAN



1 SECTION AT DUCT SHAFT
1/4" = 1'-0"

1	1/25/96	AS-BUILT TO L&B&C
2	02/03/96	REVISIONS
3	02/03/96	REVISIONS

125 GEORGE STREET
8th FLOOR
TORONTO, ONTARIO
M5A 3K4
Telephone: (416) 593-3884
Facsimile: (416) 593-3401

TAYLOR | HAZELL ARCHITECTS LTD.

PROJECT TITLE
CLINTON CASTLE CONFERENCE CENTRE
DRAWING TITLE
SECTION AT DUCT SHAFT

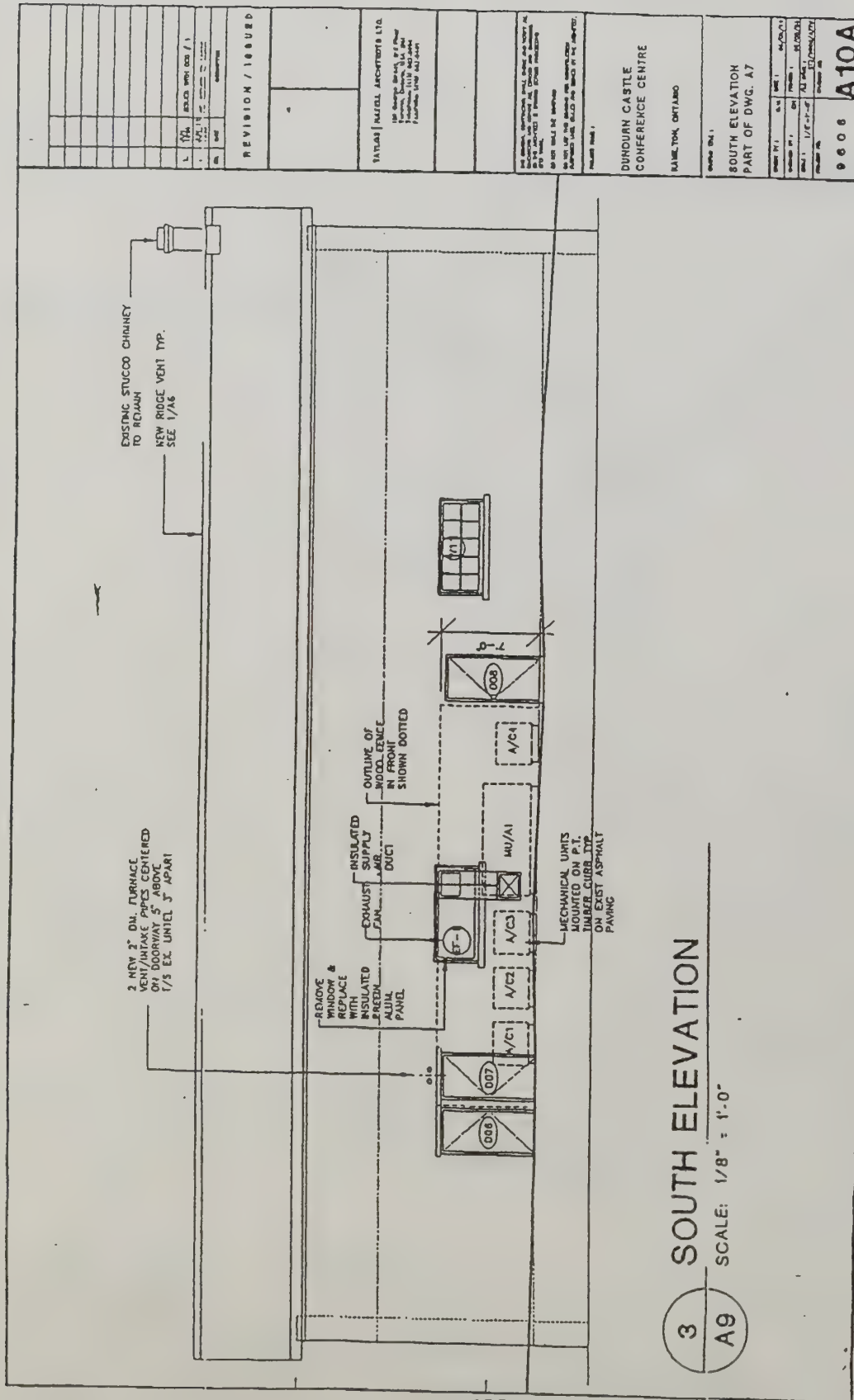
654

DESIGNED BY
CHECKED BY
DATE
06/05/96
06/05/96
FILE
R12/54A1

PRINTED ON

A12A

PROJECT NUMBER
0006



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1996 and respectfully recommends:

1. (a) That the City assist the residents of 571 Kenilworth Avenue North to secure alternate accommodations, either through Municipal Non Profit Housing or the Property Department, that leases municipally owned residences; and,
- (b) That based on compassionate grounds, condition of the building and location, and on the understanding that the owner wishes to relocate, staff be requested to commence negotiations with the owner Mr. A. R. Kay to acquire the property at fair market value in accordance with the enclave program; and,
- (c) That given the current concerns for this particular location, staff be requested to report back to the Committee on the Stapleton Residential Enclave program; and,
- (d) That the Finance and Administration Committee be requested to identify a source of funding for the purchase of 571 Kenilworth Avenue North, in the event that negotiations are successful; and further that subject to the approval of reactivating the Stapleton Residential Enclave project, that this be considered in the 1997 Capital Budget and Forecast consideration.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE

Kevin Christenson, Acting Secretary
1996 June 25

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1996 and respectfully recommends:

1. That approval be given to the action taken by the City Clerk in authorizing the Romanian Orthodox Church Community to use the City Hall forecourt and related equipment on Friday, 1996 May 31 from 6:15 p.m. until 8:00 p.m. for a peaceful demonstration regarding Canadian Immigration Laws.
2. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

44 Dalewood Crescent	90 Queen Street South
47 Duke Street	184 King Street East
696 King Street East	1485 Main Street East
242 Nugent Drive	872 Upper Sherman Ave
57 Tyrone Drive	159 Chester Avenue
220 Cannon Street East	87 Wexford Ave North
196 East 23rd Street	794 Rennie Street
1097 King Street West	
- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
3. That as referred to in Section 16 of the Ninth Report for 1996 of the Parks and Recreation Committee, the amount of \$5,000 contribution to assist in defraying the costs of the Joint 1996 Conferences of the Ontario Association of Cemeteries and Ontario Funeral Services Association to be held in Hamilton, 1996 September 15-18 be financed from the Hosting of Conferences with Municipal Subject Content Account CH 55307 80040.

4. (a) That approval be given to issue a purchase order in the amount of \$581,884.19 inclusive of G.S.T.(\$38,067.19) to commission TRIO Roofing Systems Inc. of Etobicoke, Ontario for the replacement of the roof at the Hamilton Public Library, 55 York Blvd., Hamilton, Ontario this being the lowest quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C14-6-96; and ,
 - (b) That the Mayor and City Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor; and,
 - (c) That this expenditure be funded from Library Roof Replacement Phase II, Capital Account CF 319641024.
5. (a) That the amendment to the Labourers' International Union of North America, Local 837, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
 - (b) That the Fair Wage Schedule be amended to reflect this change.
6. (a) That the amendment to the United Association of Plumbers and Pipefitters, Local 67, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,
 - (b) That the Fair Wage Schedule be amended to reflect this change.
7. That the listing of Appointments to and Terminations from Permanent positions with the Corporation of the City of Hamilton to 1996 June 6, attached herewith and marked Appendix "A", be approved.

8. (a) That further to the approval of City Council at its meeting held 1996 February 27 of the Committee of the Whole Report respecting approved licence fee adjustments for 1997, the total additional revenue of \$133,830 for 1997 from the Taxi and Livery (Limousine) categories be apportioned as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Revenue</u>
Taxi Cab Driver	\$ 50	\$100	\$ 45,000
Taxi Cab Owner	\$210	\$420	\$ 68,250
Taxi Cab Broker	\$270	\$540	\$ 810
 Taxi Cab Leases-new	 \$ 60	 \$120	 \$ 4,800
Taxi Cab Leases-renewal	\$ 30	\$ 60	\$ 4,140
 Livery Vehicle (Limo)	 \$210	 \$420	 \$ 10,080
Livery Driver (Limo)	\$ 50	\$100	<u>\$ 750</u>
			\$133,830

- (b) That the City Solicitor be authorized to prepare the appropriate By-law.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Agro. -1.

CARRIED.

9. (a) That the City Solicitor be authorized to revise the Capital Fund Loan (\$7,000,000). Agreement dated 1994 February 23rd, between the Corporation of the City of Hamilton and the Parking Authority of the City of Hamilton to incorporate the following clauses:
- (i) That the interest rate of the above loan be revised from: "the prime lending rate available to the City from its banker, plus 1½", to "43 basis points above the annual average 10 year Canada Bond Rate per year, with the interest rate set based on January 1, April 1, July 1, and October 1"; and,
 - (ii) That the Reserve for Off Street Parking have no minimum maintenance balance requirement as outlined previously; and,

- (iii) That the Capital Fund Loan agreement of \$7,000,000 be reduced to \$4,000,000 and be available for land acquisition and development of carparks; and,
 - (iv) That the current Capital Loan balance of \$359,300 and any requirements up to the revised amount of \$4,000,000 be financed from the Reserve for Debt Charges, Account Centre No. CH00108; and,
 - (b) That the new acquisition of future carparks be frozen for four consecutive years until existing debt charges are fully paid as outlined in the enclosed financing plan, attached herewith and marked Appendix "B"; and,
 - (c) That the City Treasurer and the General Manager of the Parking Authority be authorized to reduce the Parking Authority 1996 Capital Project - Upgrade existing facilities (Project No. 209.1) from \$250,000; and study and design (Project No. 210.1) for \$50,000 (for a total of \$300,000) to \$100,000 for carpark development/upgrades; and,
 - (d) That the City Treasurer be authorized to provide temporary financing from the Reserve for Debt Charges, Account Centre No. CH 00108 at an interest rate outlined below to pay for the Parking Authority debt charges for the years 1996, 1997 and 1998; and,
 - (e) That the City Treasurer be authorized to set the short term borrowing rate for payment of debt charges at 43 basis points above the annual average 5 year Canada Bond Rate per year with the interest rate set based on January 1, April 1, July 1, and October 1.
10. That in keeping with Ontario Hydro's policy respecting the appointment of commissioners to municipal commissions, that the City submit to Ontario Hydro the names of George Davidson, Donald Jervis and Ollie Thomson as possible candidates to assist Ontario Hydro in making its citizen appointment to the Hamilton Hydro Electric Commission.

11. (a) That the City of Hamilton advise the Liquor Licence Board of Ontario that it deems the 1996 Grey Cup Festival being held in Hamilton in 1996 November to be an event of national and municipal significance; and,
- (b) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of Special Occasion Permits applied for under the auspices of Grey Cup 1996 Hamilton Inc.; and,
- (c) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the extension of hours of the above-noted Special Occasion Permits being applied for under the auspices of Grey Cup 1996 Hamilton Inc. until 2:00 o'clock a.m. for the purposes of providing consistency of hours with these Permitted areas and the licenced establishments in the City of Hamilton; and,
- (d) That the Liquor Licence Board of Ontario be advised that the City of Hamilton supports the application of the 1996 Grey Cup Festival Committee for a special exemption which would permit the consumption of alcoholic beverages in the tiered seating area in the lower bowl of Copps Coliseum in connection with activities planned for November 21st, 22nd and 23rd.

Recorded vote on Section 11 (d)

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Merling, Anderson, D'Amico, Ross. 14.

NAYS: Alderman Jackson. -1.

CARRIED.

12. (a) That City Council lift the freeze on the destruction of potentially archival records as established by the adoption of the Municipal Archives Report in 1992 and establish a Records Review Committee to consider requests for the destruction of these records on a case by case basis; and,
- (b) That the Records Review Committee be comprised of the following staff members:

Darryl Lee, Supervisor of Records/F.O.I. Officer
Brian Henley, Hamilton Public Library, Special Collections
Phil Hooker, Law Department, Senior Solicitor

- (c) That a listing of potentially archival records approved for destruction by the Records Review Committee be submitted to the Finance and Administration Committee for final approval as required.

- 13.
 - (a) That a by-law be prepared to amend the Destruction of Records By-law No. 81-217, in order to establish a Records Retention Schedule for the City's Property Department, and amend Retention Schedules for the City Clerk's Department, Fire Department and the Traffic Division of the Public Works and Traffic Department; and,
 - (b) That the City Solicitor be authorized and directed to prepare the necessary by-law amendment.

- 14.
 - (a) That the Federal Transport Minister be invited to hold one of the public input sessions of The Canada Marine Act in the City of Hamilton; and,
 - (b) That prior to the general public sessions, the Mayor, Chairman of the Finance and Administration Committee and appropriate staff meet with the Minister on the City's position on Hamilton Harbour and Bill C-44.

- 15.
 - (a) That the City of Hamilton undertake a Hamilton Master Fire Plan which will identify the levels of service, including the response times, and recommend improvements to the system; and,
 - (b) That City staff collect and review initial background, and statistical information; and,
 - (c) That a Request for Proposals be prepared to retain an external consultant at a cost not to exceed \$50,000 to:
 - (i) Undertake network analysis for alternate fire station/equipment locations;
 - (ii) Review and evaluate the organizational structure, staffing practices and equipment;
 - (iii) Report on alternative response time objectives; and
 - (iv) Prepare a report to be submitted to the Corporate Steering Committee by 1996 September 30.

- (d) That the City Treasurer be authorized to establish a capital project, Fire Department Master Plan Study, in the amount of \$50,000 to be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.
-
- 16. (a) That approval be given to issue a purchase order in the amount of \$98,480.66 inclusive of a contingency (\$10,000) and GST (\$6,442.66) to commission Cimco Refrigeration division of Toromont Industries, Toronto, Ontario to replace the rooftop condenser at Rosedale Arena, this being the only quotation received in accordance with the specifications (Ref: C14-7-96) issued by the Purchasing Division; and,
 - (b) That the expenditure be financed from Capital Funds Account CF 319641023, Major Maintenance to Civic Buildings.
-
- 17. (a) That a purchase order be issued to Xerox Canada for the period of 1996 June 1 to 1997 May 31 for the servicing of the City-owned Xerox 5090 photocopier in the Print and Mail Section of the City Clerk's Department at a base monthly cost of \$295 plus \$0.006 per copy including developer plus applicable taxes; and,
 - (b) That funding for this expenditure in the approximate amount of \$50,000 plus applicable taxes for the twelve month service agreement period be charged to Photocopy-Rental Account Number CH56620 12020.
-
- 18. That 8-10 Brantdale Avenue be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-059, for the purpose of selling the property.

19. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-42 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-43 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
- (c) D-44 A By-law to Amend Licensing By-law No. 93-069 respecting Taxi and Livery Licence Fees. **ADDED.**

Recorded vote on 19 (c).

YEAS: Mayor Morrow, Aldermen Caplan, McCulloch, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Agro, Drury. -3.

CARRIED.

20. That approval be given to the Hamilton Folk Arts Heritage Council request to place a mobile sign and vintage car on the City Hall forecourt from Tuesday, 1996 June 25 to 29 as a welcome to the vintage car drivers who will be participating in the 1996 Corel Great Race L.L.C. at It's Your Festival in Gage Park. **ADDED.**

21. (a) That Hamilton City Council request an apology from the Toronto Sun for the offensive portrayal of the residents of Hamilton East as "buttheads" in a cartoon drawn by Andy Donato and printed in the Toronto Sun following the recent Hamilton East by-election; and

(b) If an apology is not forthcoming from the Toronto Sun, that Hamilton City Council request the Ontario Press Council to take appropriate action against the Toronto Sun for its offensive publication of the cartoon.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Collins, Jackson, D'Amico. -5.

NAYS: Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Merling, Anderson, Ross. -10. **LOST.**

1996 June 25

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 June 18**

Appendix "A" referred
to in Section 7 of the
TWELFTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Bowley	I	Landscaper (D15)	Public Works & Traffic Services	Returned to former position due to restructuring	\$36,416.64	May 02/96
Mr. Ronald Morris	I	Carpenter (T1)	Public Works & Traffic Services	New Position Council Approved March 28, 1996	\$42,011.84	May 06/96

Prepared June 6, 1996

Status	←
Internal	← I
External	← E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Christine Armstrong	Customer Service Rep. Plan Examiner	Building	Resigned	2 years, 5 months	May 16/96
Mr. William Aubert	Firefighter I	Fire	Retired	30 years, 7 months	May 30/96
Ms. Winnifred Keenan	Print/Mail Clerk II	Clerk's	Terminated	4 years, 10 months	April 28/96
Mr. Roger Knapman	Traffic Signal Specialist	Traffic	Terminated	6 months	April 26/96
Mr. Robert Morton	Facility Supervisor	Culture & Recreation	Terminated	14 years, 6 months	April 24/96
Mr. Glen Peace	Platoon Chief	Fire	Resigned	24 years, 8 months	May 11/96

Prepared June 6, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

THE PARKING AUTHORITY OF THE CITY OF HAMILTON
STATUS OF RESERVE FOR OFF STREET PARKING WITH INTERIM FINANCING FROM THE CITY

SECTION "1"

YEAR (1)	OPENING RESERVE BALANCE (2)	OPERATING REVENUE LESS EXPENDITURE (3)	INTEREST ON RESERVE (4)	PARTIAL PAYMENT OF DEBT CHARGES (5)	REPAYMENT OF DEBT CHARGES/ FINANCING COST (6)	INTEREST ON CAPITAL LOAN (7)	NET OPERATING PROFIT/(LOSS) (8)	USE OF RESERVE (9)	NEW LOTS - NET OPERATING PROFIT AFTER FINANCING COSTS (10)	SALE OF SURPLUS LANDS (11)	CLOSING RESERVE BALANCE (12)	YEAR (13)
1996	72,393	405,762	14,676		63,042	128,744	228,652	(100,000)			201,045	1996
1997	201,045	500,000	41,358		140,808	280,044	120,506	(150,000)		395,000	566,551	1997
1998	566,551	550,000	60,594		197,096	0	413,498	(150,000)			830,049	1998
1999	830,049	550,000	53,100		555,747	0	47,353	(150,000)			727,402	1999
2000	727,402	600,000	47,029		580,197	0	66,832	(150,000)			644,233	2000
2001	644,233	600,000	38,842		600,997	0	37,845	(150,000)			532,078	2001
2002	532,078	600,000	30,234		618,147	0	12,087	(150,000)	20,000		414,165	2002
2003	414,165	700,000	29,335		631,647	0	97,688	(150,000)	40,000		401,852	2003
2004	401,852	700,000	31,649		609,954	0	121,695	(150,000)	60,000		433,547	2004
2005	433,547	700,000	83,753		0		783,753	(150,000)	80,000		1,147,300	2005
		5,905,762	430,570	0	3,997,637	408,788	1,929,907	(1,450,000)	200,000	395,000		

SECTION "2"

CAPITAL LOAN (LAND ACQUISITION) REPAYMENT SCHEDULE

YEAR (1)	PRINCIPAL (2)	INTEREST (3)	ANNUAL INSTALLMENT PAYMENT (4)	CAPITAL LOAN OUTSTANDING (5)	DATE OF LOAN (1)	PRINCIPAL (2)	INTEREST (3)	ANNUAL INSTALLMENT PAYMENT (4)	DEBT CHARGES LOAN OUTSTANDING (5)	DEBT CHARGES OUTSTANDING (6)
1995				359,300	01 - Mar - 96	0	63,042	63,042	1,036,311	1,036,311
1996	100,000	28,744	128,744	259,300	01 - Mar - 97	0	140,808	140,808	2,107,384	1,071,073
1997	259,300	20,744	280,044	0	01 - Mar - 98	0	197,096	197,096	2,818,457	711,073
1998	0	0	0	0	1999	350,000	205,747	555,747	2,468,457	2,818,457
1999	0	0	0	0	2000	400,000	180,197	580,197	2,068,457	
2000	0	0	0	0	2001	450,000	150,997	600,997	1,618,457	
2001	0	0	0	0	2002	500,000	118,147	618,147	1,118,457	
2002	0	0	0	0	2003	550,000	81,647	631,647	568,457	
					2004	568,457	41,497	609,954	0	

SECTION "3"

THE CITY'S RESERVE FOR DEBT CHARGES (CH 00108):

YEAR (1)	OPENING RESERVE BALANCE (2)	PROJECTS FINANCED (3)	FINANCING CAPITAL LOAN (4)	FINANCE PARKING AUTH. DEBT CHARGES (5)	REPAYMENT OF PARKING AUTHORITY DEBT CHARGES WITH INTEREST COST (6)	INTEREST EARNED (7)	PROVISION FOR DEBT CHARGES ADJUSTMENT (8)	CLOSING RESERVE BALANCE (9)	YEAR (10)
1996	5,261,551	366,667	259,300	1,036,311	63,042	291,413	1,597,000	5,550,728	1996
1997	5,550,728		(259,300)	1,071,073	140,808	272,488	38,000	5,190,251	1997
1998	5,190,251			711,073	197,096	193,947	(1,176,000)	3,694,221	1998
1999	3,694,221				555,747	189,054	(838,000)	3,601,022	1999
2000	3,601,022				580,197	226,801	(88,000)	4,320,021	2000
2001	4,320,021				600,997	217,924	(988,000)	4,150,942	2001

ASSUMPTION:

1. THE CAPITAL LOANS (LAND ACQUISITIONS) ARE TEMPORARILY FINANCED FROM THE CITY'S RESERVE FOR DEBT CHARGES (CH 00108)
2. THE PARKING AUTHORITY DEBT CHARGES ARE TEMPORARILY FINANCED BY THE CITY'S RESERVE FOR DEBT CHARGES (CH 00108)
3. THE CAPITAL LOANS ARE REPAYABLE AT 43 BASIS POINT ABOVE THE AVERAGE 10 YEAR CANADA BOND RATE
4. THE SHORT TERM BORROWINGS (DEBT CHARGES) ARE CHARGED AT 43 BASIS POINT ABOVE THE AVERAGE 5 YEAR CANADA BOND RATE
5. ALL INTEREST INCOMES ARE CREDITED TO THE CITY'S GENERAL INTEREST INCOME.

Appendix "B" referred
to in Section 9 (b) of the
TWELFTH Report of
the Finance and
Administration
Committee for 1996.

Col 2	Parking Authority Reserve Balance: The Parking Authority Reserve as of January 1, 1996 was \$68,494 (currently, \$72,393).
Col 3	Operating Surplus: A careful review of the current operations indicates an operating surplus of \$400,000 in 1996 increasing to \$700,000 in 2005 noted in Section 1, Column (3). The status of all revenues and expenses is closely monitored and will be the subject of future reviews with the Finance and Administration Committee.
Col 4	Lists the interest earned by the Authority on the Reserve for Offstreet Parking Account.
Col 8	Operating profit after deductions for annual principal and interest.
Col 9	Funding line for capital expenditures
Col 10	Future profits on carparks yet to be considered.
Col 11	Expected return on sale of current carparks declared surplus to the needs of the Parking Authority.
Col 12	Closing Balance of Parking Authority Reserve.

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1996 and respectfully recommends:

1. That Michael Webber be appointed as a Citizen Member to serve on the Mayor's Committee Against Racism and Discrimination to replace a resigning member, for a term to expire 1997 November 30.

RESPECTFULLY SUBMITTED

Mayor Robert M. Morrow
Mayor

Stella Glover,
Secretary

1996 May 27

URBAN\MUNICIPAL
CAY ON HBL A05
M21
1996

1996 July 9

URBAN MUNICIPAL

JUL 18 1996

Minutes of Hamilton City Council
Tuesday, 1996 July 9
7:30 o'clock p.m.
Council Chamber, City Hall

GOVERNMENT DOCUMENTS

The Council met:

Present: Acting Mayor Charters.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Mayor R. M. Morrow - vacation

Acting Mayor Charters called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Acting Mayor Charters led Council in Prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 June 25 were adopted as circulated.

PRESENTATIONS

Acting Mayor Charters presented Sesqui-Sport Provincial Awards (Silver Medal) to the Hamilton Blind Bowlers - 5 Pin.

Acting Mayor Charters presented to Ryan Dickinson a Gold Medal for his participation in the Canadian 10 Pin Federation Youth National Championships.

PETITION\CORRESPONDENCE

1. Petition dated 1996 June 26 from residents of the Gage Park area opposing the sale of beer in the Park at family events.

Referred to the Parks and Recreation Committee.

2. Application dated 1996 June 20 from Hamilton Habitat for Humanity, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for 607 Queen Victoria Drive, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Jackson in the chair.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

Section 20 Re: City taking on responsibility of work from the City Engineer

It was moved by Alderman Caplan and seconded by Alderman Wilson that Section 20 of the Tenth Report for 1996 of the Transport and Environment Committee be referred back.

Recorded vote.

YEAS: Aldermen Caplan, Drury, Wilson, Eisenberger, Collins, Anderson, Ross. -7

NAYS: Acting Mayor Charters, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Jackson, Merling, D'Amico. -9. **LOST.**

* * * * *

Section 20 Re: City taking on responsibility of work from the City Engineer.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, D'Amico, Ross. -15

NAYS: Alderman Anderson. -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE - TENTH REPORT

Section 1 Re: Alcohol in Parks

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 2 Re: Alcohol in Parks

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 3 Re: Alcohol in Parks

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 8 Re: Capital Project Accounts

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Eisenberger, Collins. -2.

CARRIED.

* * * * *

Section 16 Re: Rule No. 9 - Bassai Limited of Burlington - Chedoke Twin Pad Arena

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Appointment of a New Interim Operator at the Chedoke Twin Pad Arena. **CARRIED.**

* * * * *

Section 16 Re: Bassai Limited of Burlington - Chedoke Twin Pad Arena

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the Tenth Report of the Parks and Recreation Committee for 1996 be amended by adding Section 16 as follows:

16. That authority be given to retain Bassai Limited of Burlington, Ontario in a form satisfactory to the City Solicitor, to provide ice maintenance, cleaning, and administration of the Chedoke Twin Pad Arena at a cost of \$128,000 inclusive of G.S.T., under the same terms and conditions of the previously approved Purchase Order previously granted to Iceco Arena Services and Equipment Inc. for a period commencing 1996 July 13 and scheduled to expire 1996 September 15. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE -TWELFTH REPORT
--

Section 3 Re: Land Drainage By-law No. 80-245

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - THIRTEENTH REPORT

Section 1 Re: Days of Protest - Recovery of monies

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 1 of the Thirteenth Report of the Finance and Administration Committee be referred back and that the Hamilton and District Labour Council be invited to attend the committee meeting.

CARRIED.

* * * * *

Section 11 Re: 5% Land Dedication

It was moved by Alderman Charters and seconded by Alderman Merling that Section 11 of the Thirteenth Report for 1996 of the Finance and Administration Committee be deleted and replaced with the following:

11. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-law No. 84-252 to allow land to be developed for the purpose of a single family dwelling where land in the amount equal to 5% of the area to be developed, or cash equivalent, has not been conveyed to the City where the building permit has been applied for between 1996 July 10 and 1997 July 11 and the building permit has been issued by 1997 August 1; and,
- (b) That the Building Commissioner be authorized and directed to refund to the building permit applicant the equivalent to the 5% land dedication collected by the City under Section 51.1 and 53 of The Planning Act, if
 - (i) the lot being developed is in a plan of subdivision registered before 1997 July 11; and,
 - (ii) the building permit is applied for between 1996 July 10 and 1997 July 11; and,
 - (iii) the building permit is actually issued by the close of business day of the Building Department on 1997 August 1; and,
 - (iv) the proposed building is only a detached single family dwelling as defined by Zoning By-law No. 6593.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

ACTING MAYOR FOR THE MONTH OF AUGUST, 1996.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman H. Merling be appointed Acting Mayor for the month of August, 1996. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

City Council then adjourned at 8:25 o'clock p.m.

Taken as read and approved.

ACTING MAYOR B. CHARTERS

S. G. Hollowell, Acting City Clerk
1996 July 9
SGH/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1996 and respectfully recommends:

1. That the existing "No Parking" regulation on the south side of Linden Street between Cavell Avenue and Lincoln Street be revised to allow unrestricted parking on the south side from a point 58 feet west of Lincoln Street to a point 41 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
2. That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the north side of Young Street commencing at a point 39 feet west of West Avenue South and extending to a point 20 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
3.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Somerset Avenue commencing at a point 279 feet east of Sherman Avenue North and extending to a point 17 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Jean Grills, No. 17 1/2 Somerset Avenue.
4.
 - (a) That the Fessenden Neighbourhood be designated as a Neighbourhood Watch Area; and,
 - (b) That Neighbourhood Watch signs for the Fessenden Neighbourhood be erected and maintained by the Department of Public Works and Traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,
 - (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).

5. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the east side of West 2nd Street commencing at a point 141 feet south of South Bend Road West and extending to a point 23 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the west side of Parkview Drive commencing at a point 59 feet north of Franklin Avenue and extending to a point 19 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
7.
 - (a) That the Riverdale West Neighbourhood be designated as a Neighbourhood Watch Area; and,
 - (b) That Neighbourhood Watch signs for the Riverdale West Neighbourhood be erected and maintained by the Department of Public Works and Traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,
 - (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).
8. That the application of the Regional Municipality of Hamilton-Wentworth, to temporarily close the following City streets from Friday 1996 July 12 at 4:00 o'clock p.m. to 1996 Sunday July 14 at 11:00 o'clock p.m. and from Saturday 1996 July 20 at 9:00 o'clock a.m. to Sunday 1996 July 21 at 11:00 o'clock p.m.:

Bay Street North from Burlington to Guise
MacNab Street North from Burlington to Guise
James Street North from Burlington to Guise
Hughson Street North from Burlington to Guise
John Street North from Burlington to Guise
Catharine Street North from Burlington to Brock
Mary Street North from Burlington to Brock
Ferguson Avenue North from Burlington to Guise
Guise Street from Bay to Ferguson
Wood Street from Bay to Burlington
Brock Street from Mary to Hughson

be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide a certificate of insurance for \$5,000,000 public liability insurance; with the Corporation of the City of Hamilton is shown as an additional insured; and that the policy provides for cross-liability and severability; and,
 - (c) That the applicant agree, in writing, to hold the Corporation of the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (d) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (e) That all barricading be supplied by and at the expense of the applicant; and,
 - (f) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Transportation; and,
 - (g) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (h) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (i) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
9. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"ALLISON ESTATES - PHASE 1, STAGE 2", Hamilton
City's Share - NIL - Owner's Share - \$ 75,122.77

"RYMAL SQUARE ESTATES - PHASE 6", Hamilton
City's Share - NIL -Owner's Share - \$216,669.91; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Allison Estates - Phase 1, Stage 2", and Rymal Square Estates - Phase 6", Hamilton as well as and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
 - (d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered he should be allowed to do so at their own risk provided that he enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City's share of services in "Rymal Square Estates - Phase 4", previously approved in the amount of \$35,989.72, be increased to a total of \$143,006.15 and that the additional amount of \$107,016.43 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands.
10. (a) That the application of the Hess Village Merchants Association to temporarily close Hess Street between George Street and King Street from 9:30 o'clock a.m. on Thursday 1996 July 11 until 12:00 o'clock noon Monday 1996 July 22, to hold the Hess Village Performing Arts Festival, be approved, subject to the following conditions:
- (i) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,
 - (ii) That the applicant provide a certificate of insurance for \$5,000,000 public liability insurance, with the Corporation of the City of Hamilton shown as an additional insured, and with the policy providing for cross-liability and severability; and,
 - (iii) That the applicant agree, in writing, to hold the Corporation of the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (iv) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

- (v) That all barricading be supplied by and at the expense of the applicant; and,
 - (vi) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Transportation; and,
 - (vii) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (viii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (ix) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,
 - (b) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence for The Gown and Gavel, No. 24 Hess Street South from Friday, 1996 July 12 to Sunday, 1996 July 21 in conjunction with the Hess Village Performing Arts Festival.
11. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined on Appendix "A" be set for the encroachments.

12. (a) That Streets By-law No. 9329, as consolidated by By-law No. 86-77 be amended by adding the following as Section 5:
 5. (1) hedges, shrubs and other plant material may be permitted on the highway provided that any such hedge, shrub or other plant material situated within the highway shall not create a visual obstruction to traffic using the highway and shall be maintained at not higher than 76 cm or 30 inches in height, shall not overhang the sidewalk, shoulder or roadway, shall maintain a minimum clearance .6 metres or 2 feet from a fire hydrant and shall not obstruct the view of a fire hydrant from the road; and,
 - (2) trees within the highway shall be pruned to the trunk for the first 2.4 metres or 8 feet above the ground; and,
 - (b) That the policy regarding enforcement of violations of The City of Hamilton's Streets By-law in respect to visibility obstructions, hedges, shrubs, and other plant material, attached hereto as Appendix "B", be adopted; and,
 - (c) That the Law Department be directed to prepare the necessary amendments to By-law No. 9329, as consolidated by By-law No. 86-77.
13. (a) That three-way stop control be implemented at the intersection of Innswood Place and Templemead Drive; and,
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. That the By-law to regulate temporary closures of highways to vehicular traffic for social, recreational, community, athletic or cinematographic purposes; to establish the Highway Temporary Closures Committee, and to delegate some of Council's authority to this Committee, be enacted.
15. (a) That the application of the Grey Cup 1996 Festival Committee to temporarily close the following street to hold the 1996 Grey Cup Downtown Festival including buskers, entertainment, beer tents and the consumption of alcohol, from Thursday 1996 November 21, at 10:00 o'clock a.m. to Sunday 1996 November 24, at 2:00 o'clock a.m.:

MacNab Street South between King Street and Main Street; and,

- (b) That the application to temporarily close the following streets to facilitate pedestrian movement to and from the Grey Cup Game, on Sunday 1996 November from 6:00 o'clock a.m. to 12:00 o'clock midnight:

Balsam Avenue between King Street and Barton Street
Melrose Avenue between King Street and Barton Street
Beechwood Avenue between Gage Avenue and Lottridge Street
Connaught Avenue between King Street and Barton Street; and,

- (c) That the application to temporarily close the following street to hold the 1996 Grey Cup Game Day Festival including buskers, entertainment, beer tents and the consumption of alcohol as well as to facilitate pedestrian movement to and from the Grey Cup Game, from Sunday 1996 November 24, at 6:00 o'clock a.m. to Sunday 1996 November 24, at 12:00 o'clock midnight:

Cannon Street between Gage Avenue and Lottridge Street; and,

- (d) That the application of Grey Cup 1996 Hamilton Inc. - Hamilton Santa Claus Parade Committee to temporarily close the following streets in Hamilton on Saturday, 1996 November 23, from 2:00 o'clock p.m. to 5:00 o'clock p.m. to hold the Hamilton Santa Claus/Grey Cup Parade:

Peter Street between Ray Street and Hess Street
Napier Street between Ray Street and Hess Street
Market Street between Queen Street and Ray Street
Hess Street between Jackson Street and Market Street
Hess Street between York Boulevard and Cannon Street
Caroline Street between Hunter Street and Market Street
MacNab Street between Hunter Street and Main Street
Hughson Street between Jackson Street and King William Street; and,

be approved, each of the above subject to the following conditions:

- (i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
- (ii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
- (iii) That all barricading be supplied by and at the expense of the applicant; and,

- (iv) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Transportation and at the expense of the applicant; and,
- (v) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Department of Public Works and Traffic and at the expense of the applicant; and,
- (vi) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (vii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,
- (viii) That the applicant provide proof of \$5,000,000 public liability insurance and liquor liability naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (ix) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence for the 1996 Grey Cup Downtown Festival on MacNab Street, from Thursday 1996 November 21, at 10:00 o'clock a.m. to Sunday 1996 November 24 at 2:00 o'clock a.m.; and,
- (x) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence for 1996 Grey Cup Game Day Festival, from Sunday 1996 November 24 at 6:00 o'clock a.m. to 12:00 o'clock midnight; and,
- (xi) That the applicant adhere to the regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcohol; and,
- (xii) That those organizers and their workers who are providing alcoholic beverages be encouraged to participate on a volunteer basis, in a "Server Intervention Training Program."; and,

- (xiii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (xiv) That staff and Hamilton Wentworth Regional Police be directed to work with the Grey Cup 1996 Hamilton Officials and Ward Aldermen to develop a strategy to allow access and egress for affected area residents adjacent to the stadium.
16. That the Owner's request for the City to accept the transfer of a 0.30 metre reserve as security in lieu of cash payment for the existing above ground services on Alfrin Court adjacent to Block 6 on the proposed final plan for "Claudette Gardens - Phase 6", be approved.
17. That the two driveway approaches on Rapallo Drive at the rear of Emmanuel United Church be permanently closed.
18. That City Council be advised that the Transport and Environment Committee is not satisfied with the level of service presently being provided in regards to the "Blue Box" recycling programme pick-up.
19. (a) That the construction of thirteen (13) concrete apron approaches estimated at \$20,000 on both sides of Stone Church Road East between Upper Gage Avenue and Upper Sherman Avenue be funded from the 1996 Capital Levy (City's Share of Locals - Residential); and,
- (b) That the Commissioner of Transportation be authorized and directed to construct these works on behalf of the City of Hamilton.
20. That the Commissioner of Public Works and Traffic be responsible for work as the City Engineer and undertake the duties previously under the auspices of the Commissioner of Transportation and Environmental Services, acting as the City Engineer.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, D'Amico, Ross. -15

NAYS: Alderman Anderson. -1.

CARRIED.

21. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-38 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-39 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-40 A By-law to Amend Streets By-law No. 86-77 Respecting Temporary Highway Closures for Events

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 July 4

Appendix "A" as referred to in
Section 11 of the Tenth Report
of the Transport and Environment
Committee for 1996

Municipal Address and Location	Owner	Type of Encroachment	First Year/ Annual Fee
358 Guelph Street Guelph and Mahony Avenue	Michael Dewyk	Existing steps measuring approximately 3.500m wide encroaching approximately 6.4cm onto Guelph Street	\$138/20
125 Ray Street South Ray Street South	Nancy Jane Young	Existing steps measuring approximately 1.219m wide encroaching approximately .893m onto Guelph Street	\$138/20
57 Barclay Avenue Barclay at Newton Avenue and Paisley Avenue	Ron Lariviere	Existing steps measuring approximately 1.295m wide encroaching approximately 0.463m onto Barclay Street	\$138/20
236 Macauley Street East Macauley Street East at Wellington Street North	David Christopher Desnoyers	Existing verandah and steps. The verandah measures approximately 6.858m encroaching approximately 0.436m onto Macauley Street. The steps measure approximately 1.219m wide encroaching approximately 1.828m.	\$138/20
450 Beach Road Martimas Avenue at Beach Road	Ljubo Roanich	Existing building encroaches 1.036m at the northerly end and 1.158m at the southerly end of the east side of the building onto Martimas Avenue.	\$138/20
904 King Street East St. Clair Avenue at King Street East	1112824 Ontario Ltd.	Existing building encroaching approximately 0.213m onto St. Clair Avenue and is 6.465m from King Street East	\$138/20
294 Grosvenor Avenue North Grosvenor Avenue North	Ronald Eldon Spencer	Existing steps measuring approximately 1.600m wide encroaching approximately 0.655m onto Grosvenor Avenue North.	\$138/20

Appendix "B" as referred to in
Section 12 of the Tenth Report of
the Transport and Environment
Committee for 1996

**POLICY/PROCEDURE REGARDING ENFORCEMENT
OF VIOLATIONS OF THE STREETS (HEDGE) BY-LAW**

- a) Enforcement of the by-law will be by the Commissioner of the Department of Public Works and Traffic and will be exercised in the following manner:

The Department of Public Works and Traffic shall trim any vegetation on the highway in the following situations:

i) at the intersection of two public highways where, in the opinion of the Commissioner of The Department of Public Works and Traffic, a visibility obstruction or pedestrian barrier affects the safety of the general public; and

ii) at non intersection locations, upon complaint of the abutting resident/owner who is immediately affected by the obstruction, or where in the opinion of the Commissioner of The Department of Public Works and Traffic it is deemed a visibility obstruction or hazard, or pedestrian obstruction.

- b) The Department of Public Works and Traffic shall serve on the offending property owner:

i) A notice of violation which shall consist of a written field violation notice giving the property owner two weeks to reduce the plant material to the proper size. This notice should either be given directly to the property owner or placed in the mailbox.

ii) At the end of the two week period, staff of The Department of Public Works and Traffic will reinspect the site. If the property owner has not complied with the notice, a follow-up, registered letter from the Commissioner of The Department of Public Works and Traffic will be sent to the property owner advising them to comply within one week. At the end of one week, The Department of Public Works and Traffic staff will reinspect the site and take whatever action is necessary to comply with the by-law, and charge any costs to the owners of the property on their tax bill.

Appendix "B" as referred to in
Section 12 of the Tenth Report of
the Transport and Environment
Committee for 1996

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REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1996 and respectfully recommends:

1. That approval be given to St. Georges Benevolent Society to erect a tent for a dinner on the north lawn (bayside) of Dundurn Castle on 1996 September 26 for a fundraising event, subject to the following conditions:
 - (a) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (c) That alcoholic beverages (wine only) be served in the confined area of the tent; and,
 - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
 - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and
 - (f) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event; and,
 - (g) That the rental permit fee of \$50. per day be waived.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1.

CARRIED.

2. (a) That approval as required by Parks By-law No. 95-126, Section 11 be given to the Hellenic Community of Hamilton - St. Demetrios Church to sell alcoholic beverages in Victoria Park on 1996 July 26 to July 28 from 12:00 o'clock noon to 11:00 o'clock p.m. and,
- (b) That approval be granted to the Hellenic Community of Hamilton - St. Demetrios Church to locate carnival rides in Victoria Park on the occasion of the annual Greek Festival held 1996 July 26 to July 28, subject to the following terms and conditions:
 - (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages (beer only) be served in the confined area of the tent; and,
 - (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
 - (v) That those organizers and their workers who are providing Alcoholic Beverages be encouraged to participate on a volunteer basis, in a "Server Intervention Training Program"; and,
 - (vi) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (vii) That the Hellenic Community of Hamilton - St. Demetrios Church enter into licence agreement satisfactory to the City Solicitor; and,
 - (viii) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event; and,
 - (ix) That the LLBO be advised that the City of Hamilton deems the Greek Festival as a community festival of municipal significance and as such has no objection to the issuance of a Special Occasion Permit.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1.

CARRIED.

3. That approval, as required by Section 11 Parks By-law No. 95-126, be given to the "Who We Playin Slo-Pitch Team" to sell alcoholic beverages on 1996 July 13 and July 14 in conjunction with their tournament to be held at Globe Park, subject to the following terms and conditions:

- (a) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
- (c) That alcoholic beverages be served in a confined and fenced area of the Park; and,
- (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
- (e) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
- (f) That the Concessionaire be contacted to make the necessary arrangements for the provision of food at that location; and,
- (g) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1.

CARRIED.

4.
 - (a) That the City of Hamilton indicate its support for the licensing of the Dundurn Castle Stable Building Restaurant/Conference Centre for the purpose of permitting the sale of wine and beer; and,
 - (b) That the Director of Culture and Recreation be authorized to make application to the Liquor Licence Board of Ontario for this purpose.
5.
 - (a) That approval be granted to the Director of Culture and Recreation to contract Dogie Daddy to barbecue and sell food and beverages during the Golden Horseshoe Live Steamers Days (1996 July 1, August 18, September 8 and September 22, October 20) at the Hamilton Museum of Steam and Technology; and,
 - (b) That \$.50 per non-beverage sale be split between the Hamilton Museum of Steam and Technology (Account No. CH48097 71405) and the volunteer group Golden Horseshoe Live Steamers.
6. That approval as required by Section 40(1)b of Parks By-law No. 95-126 be granted to the Stoney Creek Lions Club to sell raffle tickets during the Annual Antique Steam and Gas Engine Show at the Hamilton Museum of Steam and Technology 1996 July 27 and July 28.
7.
 - (a) That approval be granted to the City of Hamilton to contract John Bokstein to barbecue and sell food and beverages, and Streetables to sell ice cream at the Dundurn Castle Sesquicentennial Picnic on August 4 in Dundurn Park; and,
 - (b) That 25% of the gross sales from the concession from John Bokstein and Streetables for the Sesquicentennial Picnic be deposited in Dundurn Castle Trust Account No. CH4X999 00408.

8. That the City Treasurer be directed to close the following Capital Project Accounts of the Culture and Recreation Department with any excess funding be transferred to its original source of financing:

CF No.	Project Title	Authorised Gross Cost	Total Expenditure	Excess Funds
708941003	Seniors' Recreation Centre, Warden Park, 53 Lake Avenue	\$ 100,000	\$ 9,469	\$ 90,531
709441021	Riverdale Recreation Centre	\$ 450,910	\$ 126,826	\$ 324,084
709441035	Rubber Flooring, Lawfield Arena & Rosedale Arena	\$ 63,000	\$ 62,522	\$ 488

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Eisenberger, Collins. -2.

CARRIED.

9. That the Special Events Guidelines, approved by Council at its meeting held 1996 January 30, as Section 9 of the First Report of the Parks and Recreation Committee for 1996, be amended to include - "Ivor Wynne - Site Specific Guidelines" attached hereto as Appendix "A".
10. (a) That the City accept donations from the Friends of Gage Park/individual donors for future construction of capital projects at Gage Park; and,
- (b) That an income tax receipt be issued for each donation of \$10 or more; and,
- (c) That a capital project file for the construction of a spray pad facility be prepared in consultation with the Friends of Gage Park and be submitted for consideration in the Capital Budget Process.

11. That the Treasurer be directed to close the following Priority One Park capital accounts with the available funds being returned to their original source of financing:

Account Centre	Project Description	Authorized Gross Cost	Expended/ Committed to Date	Balance of Funding	Source of Financing
CF628650002	McAnulty Land Acquisition	\$150,000	\$139,925.83	\$10,074.17	Reserve for Parkland
CF628650004	Rushdale Land Acquisition	\$1,230,750	\$1,215,865.05	\$14,884.95	Reserve for Parkland
CF628650005	Beasley Land Acquisition	\$1,231,700	\$1,120,153.37	\$111,546.63	Reserve for Parkland
CF628650006	Durand Land Acquisition	\$137,910	\$77,571.52	\$60,338.48	Reserve for Parkland
CF628650009	Landsdale Land Acquisition	\$681,500	\$655,975.77	\$25,524.23	Reserve for Parkland
CF628650010	Keith Land Acquisition	\$329,820	\$333,015.34	(\$3,195.34)	Reserve for Parkland

12. That the Mayor and City Clerk be authorized and directed to execute a Partial Release of a Licence Agreement with Ontario Hydro, in a form satisfactory to the City Solicitor for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, formerly in the Township of Barton, now in the City of Hamilton, being firstly, part of Lots 9 and 10, Concession 7, having frontage on Rushdale Drive, extending southerly to the northerly limit of Stone Church Road East, and secondly, part of Lot 10, Concession 8, having frontage on the southerly limit of Stone Church Road East, extending southerly to an area south of Acadia Drive, as outlined on Appendix "B" attached hereto.
13. That, subject to endorsement from the Canada-Ontario Infrastructure Program, the Director of Culture and Recreation and the City Solicitor be authorized to negotiate a licence agreement with Grey Cup 1996 Hamilton Incorporated permitting them to construct temporary structures under Section 25 and 27 for the purpose of providing press box areas to house approximately 300 working and non-working press media for the 1996 Grey Cup Game and, potentially the Eastern Conference Final.

14. (a) That the City of Hamilton reaffirm its intent to bid to host the Canada 2001 Summer Games; and,
 - (b) That the Canada Games Interim Bid Committee, with the Mayor and the Chairman of the Parks and Recreation Committee, be authorized to solicit corporate and community support for the Bid; and,
 - (c) That the Director of Culture and Recreation be authorized to pursue a partnership agreement with the City of Brantford in support of the Bid.
15. (a) That the Commissioner of Public Works and Traffic be directed to work with "Green Venture" in drafting a partnership agreement between the City and Green Venture identifying areas where the two organizations can work together to achieve mutual objectives; and,
 - (b) That the Commissioner of Public Works and Traffic provide Green Venture with up to four plots in the teaching garden for use as demonstration gardens for public education programs.
16. That authority be given to retain Bassai Limited of Burlington, Ontario in a form satisfactory to the City Solicitor, to provide ice maintenance, cleaning, and administration of the Chedoke Twin Pad Arena at a cost of \$128,000 inclusive of G.S.T., under the same terms and conditions of the previously approved Purchase Order previously granted to Iceco Arena Services and Equipment Inc. for a period commencing 1996 July 13 and scheduled to expire 1996 September 15. **ADDED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

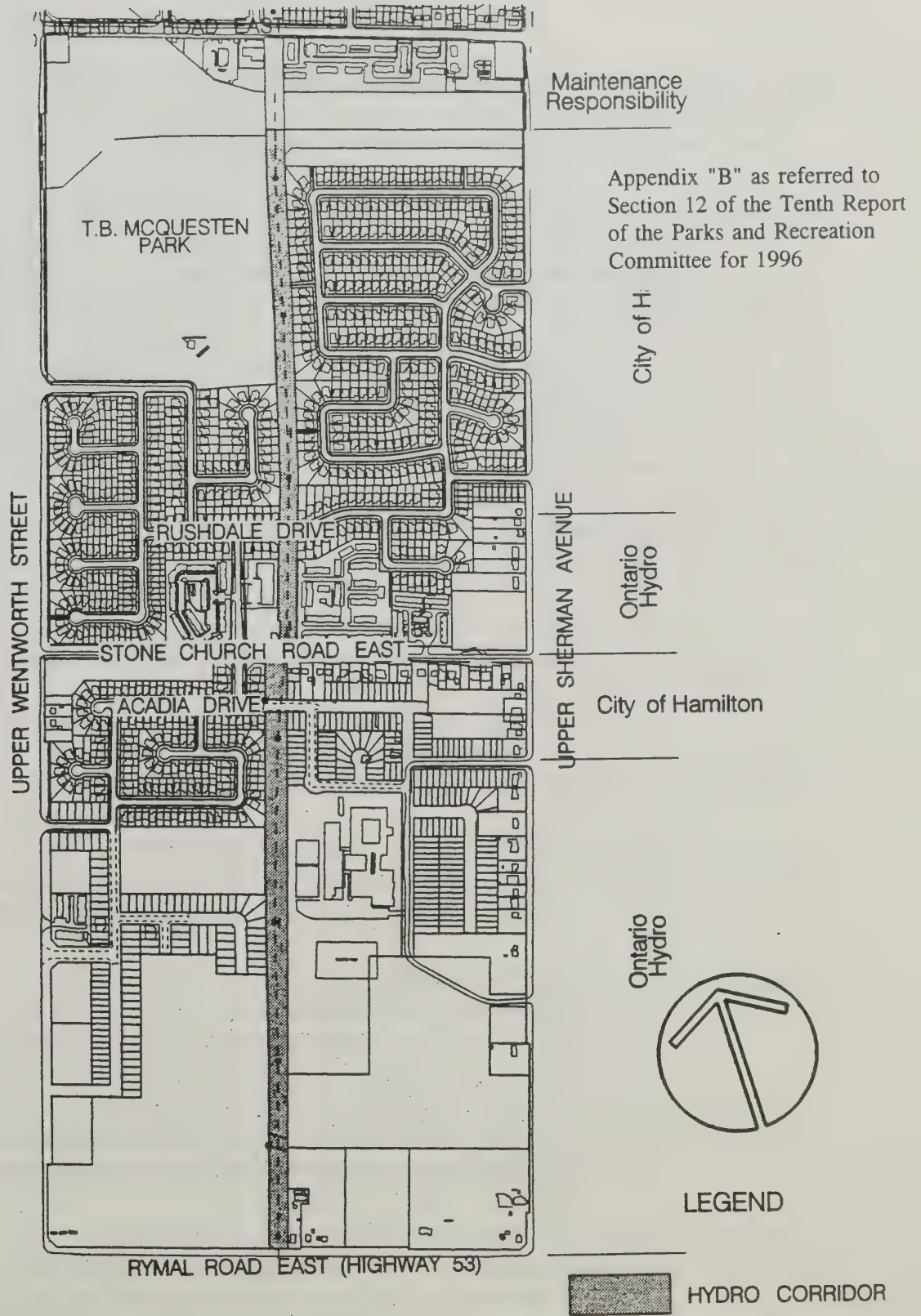
ALDERMAN F. EISENBERGER, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1996 July 2

Appendix "A" as referred to
Section 9 of the Tenth Report
of the Parks and Recreation
Committee for 1996

IVOR WYNNE - SITE SPECIFIC GUIDELINES

1. Ivor Wynne Stadium will be used primarily for sporting events. Arts, cultural and community events of a large scale will be considered, with potential disruption to the neighbourhood as a primary concern.
2. Application must be received a minimum of two weeks prior to the event for small scale events, 90 days for larger events, and at least 6 months or more for major sporting events with a large municipal impact. A non-refundable deposit, determined by staff, of \$100-500, depending on the size of the event, must be paid when the application is submitted.
3. Contractual arrangements for major sporting events are subject to various terms being negotiated with staff and approved by City Council.
4. Food and drink concessions will be provided through an existing contractual arrangement.
5. All street closures, postings of signs, cleanup, staffing, and security (policing) charges are to be borne by the organizer.
6. A deposit covering all of the Corporations costs must be received a minimum of two weeks prior to the event. Final approval, by staff, of the event, may be withheld until the deposit is received.
7. Where necessary a noise control officer will be on site at the expense of the event organizer to ensure compliance with the Corporations established noise level regulations.
8. Events involving fireworks must adhere to the City of Hamilton Fireworks By-law. Only low level fireworks displays will be allowed.
9. Ivor Wynne Stadium will not be available for major music concerts ie: Pink Floyd. Smaller music concerts accompanying sporting events must be approved in writing by the Director.
10. Parking will be provided through an existing contractual arrangement.



	Project	MOUNTAIN FREEWAY TO HIGHWAY 53	Date	JUNE 18, 1996
	Title	HYDRO CORRIDOR AND EASEMENTS	Scale	1:10000
			Dwg. No.	

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1996 and respectfully recommends:

1. That approval be given to City Initiative 96-E for a modification to Zoning By-law No. 6593 for the Westdale North Neighbourhood, as shown on the attached map marked as APPENDIX "A", to regulate the size and bulk of dwellings in the "C" (Urban Protected Residential, etc.) District, "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, and "H" (Community Shopping and Commercial, etc.) District on the following basis:
 - (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That no building or structure shall have a gross floor area greater than the are within the district of the lot on which it is situated, multiplied by the floor area ratio factor of 0.45;
 - (ii) Notwithstanding Section 2.(2)J.(viii) of Zoning By-law No. 6593, "Gross Floor Area" is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:
 - a) an attached garage;
 - b) a detached garage; and,
 - c) the floor occupied by heating, air conditioning and laundry equipment;
 - (iii) For the purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;
 - (iv) In addition to the requirements of Section 18A, where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3 metres above grade;

- (v) That notwithstanding Section 9.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height; and,
 - (vi) That Section 18(2)(i) of Zoning By-law No. 6593 shall not apply to the Westdale North Neighbourhood;
 - (b) That notwithstanding Section 11 of Zoning By-law No. 6593, a single family dwelling is permitted subject to the provisions of Section 1.(a) of this by-law;
 - (c) That in addition to the requirements of Section 14 of Zoning By-law No. 6593, a single family dwelling is permitted subject to the provisions of Section 1.(a) of this by-law;
 - (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1364, and that the subject lands on Zoning District Maps W-21, W-22, W-31 and W-32 be notated S -1364;
 - (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-21, W-22, W-31 and W-32 for presentation to City Council; and,
 - (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. That approval be given to City Initiative 91-I, to regulate mobile signs on private property on the following basis:
- (a) (i) That the Building Commissioner be directed to proactively enforce the current regulations of Zoning By-law No. 6593 as it applies to mobile signs on private property;
 - (ii) That the Appropriate City Authority be directed to proactively enforce the City Streets By-law No. 86-77 with respect to mobile signs on City road allowances; and,
 - (iii) That Regional Council be requested to proactively enforce the Regional Sign By-law No. 94-117 as it applies to mobile signs on the Regional Road allowances in the City;
- for up to 120 days in advance of Council passing the by-law ;

- (b) That the Building Commissioner be directed to compile an inventory of all mobile signs deemed non-conforming under the by-law to be passed under the Municipal Act (APPENDIX "B" attached); and,
 - (c) That the by-law to regulate mobile signs on private property, in accordance with the provisions of the Municipal Act, (see attached APPENDIX "B") not be passed by Council until the Building Commissioner has advised that the inventory of the non-conforming mobile signs has been completed and illegal signs have been identified.
3. (a) That the City Solicitor be authorized and directed to amend Section 6 of the Land Drainage By-law No. 80-245, as amended, to include items (i) to (ix) inclusive as follows:
- (i) Where a site design is prepared by a Professional Engineer and includes a Stormwater Management Study, and the design is acceptable to the City Engineer, and approved by the City after 1996 June 25, roof leaders may be discharged to the ground surface; and,
 - (ii) Where a Stormwater Management Study has been approved for a development, the recommendations in the study must be implemented; and,
 - (iii) Where roof leaders are not required to be connected to the storm sewer, the roof water shall discharge onto splashpads and then onto grassed and/or landscaped areas at least 0.6 metres from the building face; and,
 - (iv) The areas of the lot required to be sodded, must be sodded prior to the issuance of a grading certificate; and,
 - (v) Roof Leaders shall not discharge directly onto a sidewalk or driveway; and,
 - (vi) That the lot grading plans be registered on title; and,
 - (vii) That the subdivision plans which include lot grading remain on title for each individual lot in the subdivision; and,
 - (viii) That the Ward Alderman be included in the review process for the implementation of storm water management; and,

- (ix) That the review process and implementation of storm water management be applicable only to developments of 3 or more lots.
- (b) That the Building Commissioner be authorized and directed to prepare a report to make revisions to the Property Standards By-law No. 94-185, as required, to eliminate any inconsistencies with the recommendations in this report; and,
- (c) That the City request that the Region be directed to further review the Ministry of Environment and Energy "Stormwater Management Practices Planning and Design Manual, 1994 June" to develop specific stormwater management policies and lot grading guidelines for use within the City of Hamilton.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

- 4. (a) That the budget as outlined in APPENDIX "C" be approved for the Visual Arts component of the Barton Street Revitalization Program; and,
- (b) That the City Treasurer be authorized and directed to forward \$20,000 for the Visual Arts component to the Barton Street B.I.A..
- 5. (a) That the following prizes be awarded to the Mohawk College broadcasting students for their submissions in the Public Service Announcement (P.S.A.) competition:

First Prize: Matthew Taylor
Second Prize: Debbie Hogg
Third Prize: Sheileen Kew

All of the P.S.A.'s contain messages about keeping Hamilton clean.

- (b) That funds be provided from Phase IV of the Downtown Action Plan for the first prize at \$600; second prize at \$400; third prize at \$200; and, a donation to Mohawk College Media Studies Department of \$1,300 for development of the videos and use of equipment.

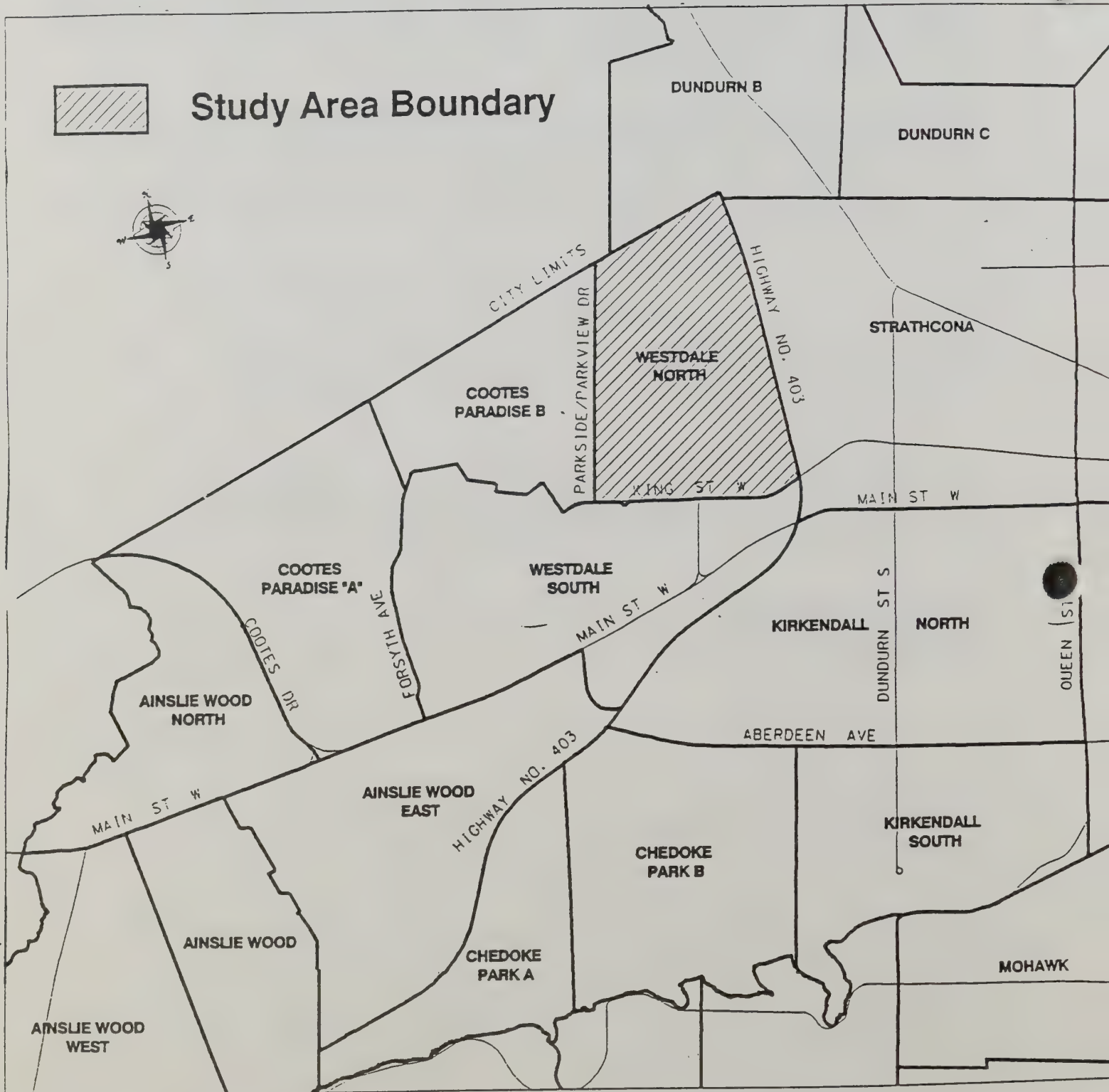
6.
 - (a) That Item 9 of the Planning and Development Committee Report 10-94, approved by Council on 1994 June 28, regarding approval of the cash payment in lieu of 5% parkland dedication in the amount of \$3,400 for "Claudette Gardens - Phase 6" be rescinded and replaced with Item (b) below.
 - (b) That the City of Hamilton accept the sum of \$7,000 as cash payment in lieu of 5% land dedication in connection with "Claudette Gardens - Phase 6", Hamilton, and \$33,750 in connection with "Rymal Square Estates - Phase 6", as being the cash payment required under Section 51 of the Planning Act.
7. That the City Clerk advise the City of Stoney Creek that:
 - a) the City of Hamilton supports the City of Stoney Creek's Official Plan Amendment, Secondary Plan and associated zoning changes for the Olde Town with the exception of the Cardinal Newman Secondary School site.
 - b) the Cardinal Newman School site should not be designated MEDIUM DENSITY in the Secondary Plan until such time as the Stoney Creek, in conjunction with the City of Hamilton, develops a comprehensive plan for the site. Furthermore, that vehicular access be prohibited from Cromwell Crescent.
8. That the City appear to oppose requests for leave to appeal from the decision of the Ontario Municipal Board which decision was the denial to a request to an adjournment of a hearing regarding the Ainslie Wood Neighbourhood By-laws No. 95-02 and 95-03 ("Monster Homes").
9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-34 A By-law to Adopt Official Plan Amendment No.133 Respecting Lands Located at Municipal Nos.775 and 779 Upper Wentworth Street at the North-East Corner of Upper Wentworth Street and Mohawk Road East Within the Burkholme Neighbourhood.
 - (b) C-35 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 775 and 779 Upper Wentworth Street.
 - (c) C-36 A By-law to Amend Zoning By-law No. 6593 Respecting Westdale North Neighbourhood.

- (d) C-37 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located East of Upper Sherman Avenue, West of Eleanor Avenue and Abutting Dulgaren Street known municipally as 1471 Upper Sherman Avenue and 90 Eleanor Avenue.
- (e) C-38 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located West of Upper Wellington Street and South of Rymal Road East.
- (f) C-39 A By-law to Prescribe a Fee for a Consent Application to the Committee of Adjustment.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 July 03**



THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW NO.

A BY-LAW TO REGULATE THE SIZE, USE,
LOCATION AND MAINTENANCE OF
MOBILE SIGNS ON PRIVATE PROPERTY
WITHIN THE CITY OF HAMILTON

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof,

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic,

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape,

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes,

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law,

NOW THEREFORE the Council for The Corporation of the City of Hamilton ENACTS as follows:

ADMINISTRATION AND GENERAL PROVISIONS

Definitions

1. In this By-law,

- (a) "agent" means a person designated by another person to act on his behalf;
- (b) "applicant" means a person applying for a mobile sign permit under this By-law;
- (c) "business" means any one activity, dealing, occupation or trade of either a commercial, industrial or professional endeavour as carried out or engaged in, at an establishment;
- (d) "Chief Building Official" means the person appointed by the Council as the Chief Building Official for the City of Hamilton and includes his designate;
- (e) "City" means the City of Hamilton in the Regional Municipality of Hamilton-Wentworth;
- (f) "commercial district" means property that is zoned commercial as defined under City of Hamilton Zoning By-law 6593 as amended;
- (g) "commercial or industrial complex" includes a shopping centre, shopping mall, shopping plaza, strip plaza, mall or place and is a group of three or more commercial uses excluding professional and administrative offices;
- (h) "Corporation" means The Corporation of the City of Hamilton;
- (i) "Council" means the Council for The Corporation of the City of Hamilton;
- (j) "daylight triangle" means an area of a corner lot which is determined after the side lot line adjacent to the street and the street lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance of 9.0m, along each lot line and joining such points with a straight line. The triangularly-shaped land between the point of intersection of such lot lines and the straight line joining the points at the designated distance along each such lot line shall be known as the "daylight triangle";
- (k) "downtown core" means the area shown on Schedule "A" of this By-law;
- (l) "electronic variable message centre (EVMC)" means an illuminated sign or part thereof which is computer controlled and which displays information to the public

- or attracts attention to the message by way of a pre-arranged or variable sequence of electronically generated letters, words, light patterns or shapes;
- (m) "erect" includes the placing of, arranging for the placing of, the renting of, or the leasing of;
 - (n) "flashing mobile sign" means a mobile sign equipped with an intermittent or flashing light source;
 - (o) "street lot line" means the line that divides a lot from a street, but not a lane or alleyway;
 - (p) "grade" means the average level or elevation of the finished surface of the ground adjoining a building at all of the exterior walls or the mobile sign structure at the point of contact with the ground but shall not include any artificial embankment or planter box;
 - (q) "illumination" means lighting of the sign, in whole or in part by artificial means. Internal illumination means lighting the sign face with a light source located within the sign; external illumination means having a light source exterior to the sign and on, or directed at the sign, and flashing illumination means illumination that varies and is perceived to vary in intensity or design at periodic intervals;
 - (r) "industrial district" means property that is zoned industrial and defined under City of Hamilton Zoning By-law 6593 as amended;
 - (s) "message board" means that part of a sign on which the copy, characters, symbols or letters used to create the sign message are displayed, and "display surface" shall have a similar meaning;
 - (t) "mobile sign" means a sign mounted on a trailer or other free standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;
 - (u) "mobile sign permit" means a mobile sign permit issued by the Chief Building Official or his designate pursuant to the provisions of this By-law for the legal display of a mobile sign;
 - (v) "motorized vehicle" means an automobile, truck, motorcycle or similar self-propelled means of transport but does not include a trailer;
 - (w) "multiple address location" means a location where two or more municipal addresses are contained in the same commercial or industrial complex or place;
 - (x) "permit holder" means a person who holds a valid mobile sign permit issued under this By-law;
 - (y) "person" means an individual, firm, corporation, association or partnership and includes an owner and lessee of a property;
 - (z) "premises" means specific property, and includes all buildings and accessory structures thereon;
 - (aa) "property" means and refers to the location where a sign is to be positioned for display, or is displayed, or can be a reference to a specific street address of a business and includes a multiple address location;
 - (bb) "sign" means any medium or device including its structure and other component parts which is used or capable of being used to attract attention to a specific matter other than itself, for identification, information, business promotion or advertising purposes;
 - (cc) "sign area" means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the sign;
 - (dd) "sign height" means the vertical distance measured from the proposed or finished grade immediately below the sign to the highest extremity of the sign including the border or frame;
 - (ee) "third party advertising" means the advertising contents of a mobile sign which is meant to direct attention for the purposes of marketing, promoting or advertising a business, product, service, activity or facility which is provided at a location other than where the sign is located; and,
 - (ff) "unsafe sign" means a sign which is either structurally unsafe, or which constitutes a fire or safety hazard, or impedes the movement of vehicular or pedestrian traffic, or which would otherwise constitute a risk to the safety of persons or premises.

Administration

2. The Chief Building Official or his designate shall:

- (a) receive and process all applications for mobile sign permits required under this By-law;
- (b) administer the issuance of mobile sign permits in accordance with provisions of this By-law;
- (c) maintain and keep records of all applications received for mobile sign permits and records of all mobile sign permits issued;
- (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

Mobile Sign Permits

- 3. No person or his agent shall erect, display or otherwise use a mobile sign, without first obtaining a mobile sign permit as provided by this By-law.
- 4. A person or his agent, may obtain a mobile sign permit if:
 - (a) he completes an application form provided by the Chief Building Official or his designate;
 - (b) he files, as may be required by the Chief Building Official, in duplicate, a sketch of sufficient detail and quality as is necessary to ascertain whether or not the mobile sign will be in compliance with this By-law with accurate measurements of distances showing the intended location of the mobile sign and from that location the:
 - (i) distance to the nearest street lot line;
 - (ii) distance to the nearest edge of pavement of the nearest roadway;
 - (iii) distance to the nearest edge of pavement at the intersection of two or more streets;
 - (iv) distance to the nearest edge of the nearest mobile sign;
 - (v) distance to the nearest edge of a building;
 - (vi) distance to the nearest residential property; and
 - (c) he files, as may be required by the Chief Building Official, measurements of the size of the mobile sign and it's supporting framework.
- 5. The number of days that a mobile sign is erected or displayed, shall be determined from the date and including the day of permit issuance, or date of erection if the mobile sign was erected prior to permit issuance.
- 6. The Chief Building Official or his designate may require a person, or his agent to provide proof of interest either as a lessee, renter, tenant or owner of the property on which the mobile sign is to be located, and/or a legal survey of the property on which the mobile sign is located or is intended to be located.
- 7. At any one property a maximum of one (2) mobile sign permits may be granted at any one time provided that there is a minimum distance of 30 meters between each mobile sign on the same property.
- 8. No mobile sign permit shall be issued for a property, person or business at a municipal address or location where thirty (30) days have not transpired since the expiry date on the previous mobile sign permit for that property.
- 9. No person shall make application for a mobile sign permit who is not the owner, or the authorized agent of the owner of the property on which the mobile sign is to be placed.
- 10. No person, or his agent shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a mobile sign permit, or revision thereto.
- 11. No person, or his agent shall apply for or receive, more than twelve (12) mobile sign permits for any property within any one (1) calendar year in accordance with section 7 above.
- 12. Applications will be processed in order of date and time received but no permit will be issued for a property which already has a mobile sign permit and until that mobile sign permit has expired.

13. A person or his agent or a permit holder may erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign where the sign is not in the "downtown core" (as defined on Schedule "A" to this By-law) and:
- (a) is located on property which is zoned as:
 - (i) a "commercial district" including:
 - 1. the "G" Districts including "G", "G-1", "G-2" and "G-4" [except "G-3" (Public Parking Lot) District]; and
 - 2. the "H" and "HH" Districts; or
 - (ii) an "industrial district" including:
 - 1. the "J" and "JJ" Districts;
 - 2. the "K" and "KK" Districts; and
 - 3. the "M" Districts, including "M-11", "M-12", "M-13", "M-14", and "M-15";
 - (b) is displaying a message that clearly indicates the use is for the property for which an application has been made;
 - (c) is in good repair and has not become unsafe, unsightly or dangerous;
 - (d) is situated at grade;
 - (e) where it is electrically illuminated, has Ontario Hydro safety code approval;
 - (f) where it is utilizing electrical power, uses only an electrical cord that has C.S.A. approval;
 - (g) is located on private property and is not located on a road allowance;
 - (h) where it is located within 100 feet (30.5 metres) of a residential zone, is equipped with a timer to turn off the light source in order to eliminate any annoyance to persons in the adjoining residential zones between the hours of 10:00 P.M. and 8:00 A.M.;
 - (i) has the name and telephone number of the owner of the mobile sign affixed to the mobile sign at a clearly visible location;
 - (j) has not greater than 5.6m² of sign area per face with no one dimension greater than 2.4m; and
 - (k) has a sign height that does not exceed 2.4m.
14. No person, or his agent or permit holder, shall erect, permit to be erected, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign on lands or buildings owned, rented, leased or occupied by them:
- (a) for more than six (6), fifteen (15) consecutive day increments based on the calendar year at any property to which the mobile sign permit was issued;
 - (b) on a property where a previous mobile sign permit has expired and no further permits are available in accordance with subsection (a) above;
 - (c) the content of which would indicate a contravention of any zoning or other by-law, Act or regulation enforceable in the municipality, or which would identify, advertise or provide information in relation to a use or occupancy not permitted under a Zoning By-law;
 - (d) contrary to the approved location on a sketch, and contrary to information on the application, in respect of which the mobile sign permit was issued;
 - (e) which is for the purpose of third party advertising;
 - (f) so as to obstruct openings required for light and ventilation, any required means of egress or required access for fire fighting;
 - (g) at any location where the sign obstructs the sightlines and view of any pedestrian or driver of a motor vehicle or obstructs the visibility of any traffic sign or device;
 - (h) which obstructs or otherwise interferes with an exit door or fire escape, fire exit route, fire hydrant, or yard hydrant so as to prevent or impede the free access of emergency vehicles and personnel to emergency equipment or to any part of a building requiring such access;
 - (i) which obstructs or otherwise impedes the parking of a motor vehicle or is situated in a required parking or manoeuvring area;
 - (j) with electrical wiring in the path of vehicular or pedestrian traffic;
 - (k) which has flashing or moving lights;
 - (l) which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion;
 - (m) which in whole, or in part is an electronic variable message centre;
 - (n) which emits illumination resembling an emergency light or traffic regulating device;
 - (o) prior to the issue date or after the expiry date as set out in the mobile sign permit;
 - (p) which would be an unsafe sign;
 - (q) within 50 feet (15 metres) of the closest edge of the nearest mobile sign;

- (r) within 30 feet (9 metres) of the intersection of two streets;
 - (s) within 50 feet (15 metres) of a residential district;
 - (t) where the setback from property lines to the mobile sign is less than 1.5 metres;
 - (u) where the mobile sign is elevated on any temporary or permanent object which is being used as the base for a mobile sign or part of a mobile sign structure;
 - (v) where the property is zoned anything other than that indicated in section 13;
 - (w) where the property on which the mobile sign is located is zoned "residential";
 - (x) where the property on which the mobile sign is situated is located, in the downtown core as shown on Schedule "A" of this By-law;
 - (y) where two mobile sign permits have already been issued for the property and have not expired;
 - (z) where the mobile sign would not comply with this or any other by-law;
 - (aa) which has more than two sign faces or any one sign face which exceeds 5.6m² in area or has any one dimension that is greater than 2.4m;
 - (bb) which has a maximum height measured from grade greater than 2.4m; and
15. A person or his agent shall place the mobile sign at the municipal address of the person named on the application.
 16. The permit fee as set out in Schedule "B" shall be submitted with each application for a mobile sign permit.
 17. The permit fee as set out in Schedule "B" does not apply to an application for a City of Hamilton sponsored event.

REVOCATION OF A PERMIT

18. A mobile sign permit may be revoked by the Chief Building Official or his designate under the following circumstances:
 - (a) where the mobile sign does not conform to this By-law and amendments thereto;
 - (b) where the mobile sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
 - (c) where the mobile sign permit has been issued as the result of false, incorrect or misleading statements;
 - (d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

VARIANCES

19. (a) Where the applicant or person in control of a sign for any reason is unable to comply with the provisions and regulations under this by-law, such person may apply to the Council for a minor variance from the provisions and regulations of this by-law.

The Council shall hear all such applications and may authorize minor variances from the provisions and regulations of this by-law.

- (b) All applications for a minor variance shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of three hundred dollars (\$300.00). The variance fee shall not be refundable.

PENALTIES AND ENFORCEMENT

Removal of Illegal Mobile Signs

20. (a) When a mobile sign is erected or displayed in contravention of the provisions of this By-law, the mobile sign shall be removed immediately without notice, where located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City of Hamilton;
- (b) Where a mobile sign is located on property other than property owned by or under the jurisdiction of the City of Hamilton, the Chief Building Official or his designate may forward a notice, by personal service or regular post, to the Lessee

- or owner of the sign, or their agents, or to the person or agent having the use or major benefit of the mobile sign, requiring that the mobile sign be permanently removed within the time specified in the Notice and thereafter not replaced with any mobile sign in contravention of this By-law;
- (c) If the Notice is not complied with the Chief Building Official or his designate may require that the municipality, its employees, or an independent contractor enter upon the land and remove such mobile sign. The owner of the land upon which the mobile sign was located shall pay for any costs or expenses of the City. Such costs or expenses may be recovered in like manner as municipal taxes under the provisions of Section 326 of the Municipal Act, R.S.O. 1990, c.M.45 as amended from time to time;
 - (d) where a mobile sign is deemed by the Chief Building Official or his designate to be in such a condition or location that it is or may be a hazard to the public, the Chief Building Official or his designate may either serve written notice to the owner or tenant of the property on which, or in front of which such mobile sign is located, to remove such mobile sign or make the same safe, or without giving notice to the owner or tenant of the property on which such mobile sign is located, cause such mobile sign or structure to be removed;
 - (e) any sign removed pursuant to this Section may be deposited on the property on which or in front of which it was located or removed;
 - (f) mobile signs removed shall be stored by the City for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such mobile sign upon the payment to the City of a one hundred dollar (\$100.00) fee in addition to any applicable costs or expenses referred to in subsection (c) above;
 - (g) where a mobile sign has been removed by the City and stored for a period of 30 days and has not been redeemed, such mobile sign shall be forthwith destroyed or otherwise disposed of by the City.

Penalty for Non-Compliance

- 21. (a) Any person who, on his own or by his agent, contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time to a fine of not more than five thousand dollars (\$5,000.00), exclusive of costs, for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such thereunder. Such fine shall be recoverable under the Provincial Offences Act.
- (b) Where a person has been convicted of an offense under this By-law the Court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offense or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offense.
- (c) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspection made by the authority having jurisdiction during the erection of a sign shall, in any way, relieve the owner of such sign, tenant or the owner of property on which the sign is located, from full responsibility for carrying out the work in accordance with the provisions of this By-law.

Liability

- 22. Any persons erecting or maintaining any mobile sign or on whose property a mobile sign is located, shall be liable for such mobile sign. The municipality is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the erection, maintenance, removal or falling of such mobile sign or part thereof.

Notice

- 23. Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by registered mail addressed to the person making application for permit to erect a mobile sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised Assessment Roll of the municipality, of the property on which, or in front of which, the sign is located, or at the last address for

delivery appearing on the records of the Chief Building Official or his designate. Where service is effected by registered mail, it shall be deemed to be made on the third day after the date of mailing.

Schedules

24. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

Applicability

25. This By-law shall be applicable to all lands within the corporate limits of the City of Hamilton.

Validity

26. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

Meaning

27. For the purpose of this By-law, where the words "his" or "he" is used they shall also mean or stand for the words "her" "she" and "it" in the case of a corporation.

Short Title

28. This By-law shall be known as the Mobile Sign By-law.

Effective Date

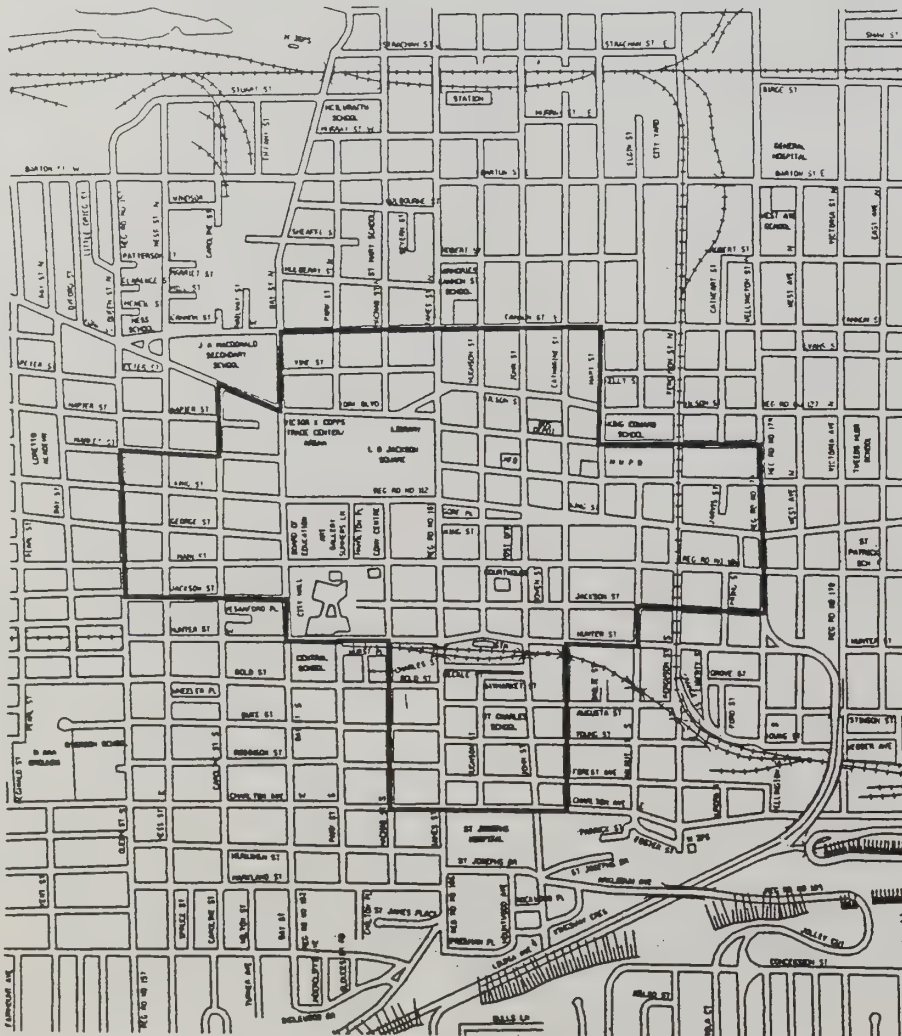
29. This By-law comes into force and takes effect on the day of , 19 .

ENACTED AND PASSED this day of , 19 .

THE CORPORATION OF THE CITY OF HAMILTON

ROBERT M. MORROW, MAYOR

JOSEPH J. SCHATZ, CITY CLERK



This is Schedule "A" to By-Law No. 96 -.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....

Planning and Development Department

Legend



Delineates Boundary of Downtown Core

North



Scale
NOT TO SCALE

Date
April 1996

Reference File No.
CI-91-1

Drawn By
R.L.

Terms of Reference: PUBLIC ART, Barton General B.I.A.

1. Sponsors - The City of Hamilton and the Barton General Business Improvement Area
 - The City is represented in the redevelopment of Barton Street by the Building Department and the Public Works and Traffic Department.
 - Barton General B.I.A. consists of levied members with an elected executive committee.
 - To monitor the programme, there is a "Barton Street Revitalization Committee" consisting of representatives from the Building Department, Public Works and Traffic Department, the City's Arts Co-ordinator, Social Planning and Research Council, Barton General B.I.A., and the neighbourhood itself. The Committee meets once each month.
2. Background
 - Barton Street, between Wellington and Wentworth Streets, was targeted for revitalization through special projects in the following categories: (i) improvements to commercial properties through a grant/loan programme; (ii) street-scape improvements; (iii) public art.
 - In the first year of the public art programme (1995), three small-scale murals were completed. In an independent project (1994), murals were also installed on the exterior of the former gymnasium at West Avenue School.
 - From plans approved in 1995, the Parks Development Division of the Public Works and Traffic Dept. created a new courtyard park (1996 May) on the north side of West Avenue School, facing Barton Street. In this park are two designated locations for sculpture.
 - It has been decided to continue with public art projects in 1996.
3. Recommended Process
 - That specific artists be invited to work with the Revitalization Committee, in a team approach to the project. These artists would be asked to submit preliminary proposals based on the Revitalization Committee's site recommendations. The artists would become involved based on their abilities, experience in the field of public art, the nature of their preliminary proposals, with resulting direct commissions.

.../2

- 2 -

- That two or three significant projects be undertaken: One would address the sculpture locations in the park. The others would be wall murals.
- That the artists' responses to the project requirements be received by June 30/96 in the form of a two-part proposal: (i) rendering of the artist's concept; (ii) brief written explanation of the approach/concept and an estimated budget.
- That the total commissions including materials, installations, artist fee, insurance, and any other project related expenses be as follows: Sculptures \$12,000.; Murals \$8,000.
- That the public art projects be completed by 1996 October 31.

4. General Requirements - Public Art, Barton Street 1996

- Theme: The Past Speaks to the Future
- Each work should encompass a relevance to its particular site as well as a universality which allows it to be enjoyed by anyone, regardless of the viewer's cultural background.
- Construction and installation methods, construction materials, must ensure the safety of the general public.
- Choice of materials must be based on practical considerations as well as aesthetic ones: for example, the use of durable, weather-tolerant, low-maintenance materials.
- Commission payments will be awarded in two or three segments: the initial one for start-up purposes; the final one on completion of the contract.
- Proposed designs must be approved by the Barton General B.I.A., the Barton Street Revitalization Committee and the owners of the site property (if applicable) before construction begins. For the sculptures, the committee may request maquettes. For both types of projects a materials list is to be supplied with the budget, accompanied by a maintenance schedule.

5. Artists' Contact:

Cheryl York
Arts Co-ordinator
Dept of Culture and Recreation
71 Main St W
Hamilton On L8N 3T4

(905) 546-2036

/cdy

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1996 and respectfully recommends:

1. (a) That the City decline to accept the Hamilton and District Labour Council's offer to resolve the City's claim for costs of site preparation, clean up and site restoration arising out of the Labour Council's use of Dundurn Park and Bayfront Park on 1996 February 23rd and 24th, for a total payment of \$3,500.; and,

(b) That the City Solicitor be directed to commence an action against the Hamilton and District Labour Council in Small Claims Court for the recovery of \$6,835.45, representing the City's claim for costs of site preparation, clean up and site restoration arising out of the Labour Council's use of Dundurn Park and Bayfront Park on 1996 February 23rd and 24th, and that the City Solicitor be directed to waive the excess over \$6,000 in order to bring the claim within the jurisdiction of the Small Claims Court. **REFERRED BACK WITH INSTRUCTION THAT THE HAMILTON AND DISTRICT LABOUR COUNCIL BE INVITED TO ATTEND THE COMMITTEE MEETING.**
CARRIED.
2. (a) That the City of Hamilton agree to settle Ontario Court of Justice (General Division) Action No. 19313/90 by the payment of \$16,128.34, inclusive of damages, interest and costs, to the Plaintiff, Judy Smyth; and

(b) That the City of Hamilton obtain from Judy Smyth, a Release satisfactory to the City Solicitor and that Ontario Court of Justice (General Division) Action No. 19313/90 be dismissed as against the City of Hamilton without costs.
3. That approval be given to the action taken by the City Clerk in authorizing Hamilton Sesquicentennial Celebrations Inc. to fly the Town of Shawinigan flag beside the City of Hamilton flag at City Hall from 1996 June 28 to July 1 as part of the Sesquicentennial Weekend Celebrations.

4. That approval be given to the request of The John Calvin Hungarian Presbyterian Church to fly the Hungarian flag at City Hall from 1996 September 21 to 26 in commemoration of the 1100th Anniversary of the Magyar conquest of Hungary and the 40th Anniversary of the 1956 Freedom Fight.
5. (a) That the following property be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:
 - (i) 30 Simcoe Street West; and,
- (b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.
6. That the following Capital Budget Accounts of the Parking Authority of the City of Hamilton be closed and the remaining funds be returned to their original source:

#909245003	Parking Deck - GO Terminus	\$50,000
#909345010	Parking Deck - GO Terminus Study	\$50,000
7. That the Parking Authority be permitted to create a Capital Account, funded from its Parking Reserve Fund in the amount of \$100,000 to be titled, "Parking Facilities/Equipment Development and Upgrades" for the purpose of:
 - (i) completing the development of the site at 290-296 Victoria Avenue; and
 - (ii) upgrading on-street meters in certain key commercial areas of the City.
8. (a) That the re-classification of the Reserve & Reserve Funds, as outlined in Appendix A, be approved.
- (b) That the current external debt financing, as defined in the ten year Capital Budget, be replaced with a policy of Internal Financing using the Capital Reserve Funds as the source of funding.
- (c) That \$8.0 million be transferred from the "Reserve for Employee Benefits-Self Insurance" to the "Reserve Fund for Workers' Compensation".

- (d) That the balance of the unfunded liability (\$11.7 million) for Workers' Compensation be funded by a reallocation of \$950,000 from the Employee Benefit control account and that an actuarial valuation, to determine the unfunded Workers' Compensation Benefit liability, be done every three years.
 - (e) That any surplus in the Employee Benefit control account be transferred annually to the Reserve for Employee Benefits - Self Insurance.
 - (f) That the annual capital equipment replacement program be approved in the September, preceding the year of replacement, and be fully funded from the reserve.
 - (g) That the Sick Leave annual provision of \$800,000 be reduced to \$500,000 in 1997 and the WCB annual provision be increased by \$300,000 to \$1.8 million.
 - (h) That an actuarial valuation (as approved in 1992) be performed on the Reserve for Employee Benefits - Self Insurance, in order to determine the appropriate level of funding, and that the costs be charged to the applicable reserve.
 - (i) That an insurance consultant be hired to review the City's current Risk Management Program and related insurance coverage including current deductible levels relative to the current reserve level, and that the costs be charged to the applicable reserve.
 - (j) That the following Trust Funds be re-classified as reserves:
 - Dundurn Castle Restoration
 - Museum Acquisition Trust - Historical Board
 - Childrens' Museum Trust
 - Furnishing Restoration - Historical Board
 - Seniors' Club Trust - Playground Equipment
 - Whitehern Rentals Trust
9. That outstanding business taxes in the amount of \$ 914,244.76 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.
10. That the agreement with ABS Bailiff Services for the collection of outstanding business tax arrears be extended to 1996 September 30.

11. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-law No. 84-252 to allow land to be developed for the purpose of a single family dwelling where land in the amount equal to 5% of the area to be developed, or cash equivalent, has not been conveyed to the City where the building permit has been applied for between 1996 July 10 and 1997 July 11 and the building permit has been issued by 1997 August 1; and,
- (b) That the Building Commissioner be authorized and directed to refund to the building permit applicant the equivalent to the 5% land dedication collected by the City under Section 51.1 and 53 of The Planning Act, if
 - (i) the lot being developed is in a plan of subdivision registered before 1997 July 11; and,
 - (ii) the building permit is applied for between 1996 July 10 and 1997 July 11; and,
 - (iii) the building permit is actually issued by the close of business day of the Building Department on 1997 August 1; and,
 - (iv) the proposed building is only a detached single family dwelling as defined by Zoning By-law No. 6593. **REPLACED.**

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

12. (a) That the "Financial Shared Services Study-Process Mapping and Opportunity Identification" Report be received; and,
- (b) That the Consultant be directed to continue the analysis and complete the approved terms of reference and provide the required input for the City to prepare the Shared Services proposal; and,
- (c) That Utility Finance (Region) and Tax (City) sections be excluded from the shared services proposal.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-45 A By-law to Authorize the Destruction of Records in Certain Departments
 - (b) D-46 A By-law to Amend By-law No. 84-252 Respecting Conveyance of Land for Park Purposes
 - (c) D-47 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Stella Glover
Acting Secretary
1996 July 2**

NAME	A/C #	Recommendations & Comments	Capital Reserves	Working Fund Reser	Reserve Funds
RESERVES					
Acquisition of Historic Properties	CH00120	No Change	\$144,057		\$0
Alpha Enclaves	CH00116	No Change	\$222,915		\$0
Contingency	CH00115	No Change		\$1,185,365	\$0
Debt charges	CH00108	No change	\$7,317,690		\$0
Hamilton Public Library	VARIOUS	No Change		\$1,155,736	\$0
Major Repairs & Improvements to City owned Properties	CH00109	Delete - Transfer to Capital Projects (See Note 1 below)	\$0		\$0
Major Repairs to Mobile Equipment	CH00103	Delete - Transfer to Replacement of Mobile Equipment(See note 2 below)	\$0		\$0
Property Purchases	CH00102	No Change	\$4,960,575		\$0
Replacement of Mobile Equipment	CH00101	No Change	\$21,496,509		\$0
Replacement of Office Equipment and Furniture	CH00114	Delete - Transfer to Capital Projects (See Note 3 Below)	\$0		\$0
Residential - Building Permit Revenue Stabilization		No Change		\$210,074	\$0
Services for Unsubdivided Lands		No Change	\$2,590,113		\$0
Uninsured Losses	CH00117	Delete - Transfer to new reserve for Self Insurance(See note 4 below)		\$0	\$0
Self Insurance	NEW	New - Self insurance reserve for Auto, Property & Public Liability	\$0	\$2,379,690	\$0
Workers' Compensation	CH00118	Change to Reserve Fund (See Note 5 below)	\$0		\$9,297,325
Working Funds:	CH00172				\$0
- Annualization		Delete - Transfer to Tax Stabilization (See Note 6 below)		\$0	\$0
- Deferred Income Plan for city Council Members	NEW	Change to Reserve Fund (See Note 7 below)			\$844,829
- Dundurn Castle Restoration		Delete - Transfer to Capital Projects (See Note 8 below)	\$0		\$0
- Election Expenses	NEW	No Change		\$136,673	\$0
- Employee Benefits		Delete - Transfer to reserve for Emp. Benefits Stabilization(See note 9 below)		\$0	\$0
- Employee Benefits Stabilization	NEW	New - Employee Benefit Stabilization	\$0	\$3,071,498	\$0
- Hamilton Scourge Foundation	NEW	Change to Reserve Fund (See Note 10 below)			\$16,120
- Historic Fire Engine		Delete - Transfer to Contingency (see Note 11 below)			\$0
- Hosting Conferences	NEW	No Change		\$90,809	\$0
- Hosting of Special dignitaries	NEW	No change		\$34,555	\$0
- Project Management		Delete - Transfer to Work -in -progress(See Note 12 below)		\$146,135	\$0
- Realty Taxes - Beach Strip Properties		Delete - No Funds remaining Contingency can be used in the future		\$0	\$5,168,516
- Sick Leave	NEW	Change to Reserve Fund (See Note 13 below)		\$0	\$0
- Snow Control/Storm Damage		Delete - Transfer to Tax Stabilization (See Note 14 below)		\$0	\$0
- Special Events Subsidy		No Change		\$2,726	\$0
- Systems Improvements	NEW	No Change		\$267,196	\$0
- Tax and Assessment Appeals		Delete - Transfer to new Tax w/o ass.app & reserve for contaminated Properties (See Note 15 below)		\$0	\$0
- Tax Stabilization	NEW	No Change		\$10,662,379	\$0
- Working Funds - Unspecified		Delete - Allocate to new Working Funds Current & Capital(See Note 16 below)		\$0	\$0
- Working Funds - Current Operations	NEW	New - Working Funds for Current Operations	\$0	\$8,000,000	\$0
- Working Funds - Capital Operations	NEW	New - Provides financing for internal financing	\$4,210,319		\$0
- Tax Write-offs Assessment Appeals& Contaminated Property	NEW	New - Replaces year-end statement entry for prov for doubtful a/c's	\$0	\$3,847,071	\$0

RESERVE FUNDS					
Acquisition of Properties under the Planning Act					\$0
Capital Projects - General	CH00201	No Change			\$0
Cemetery Building Fund - Niches	CH00203	Reclassification from reserve fund to reserve			\$0
City Vehicle Insurance	CH00290	No Change			\$0
Development Charges	CH00212	Delete - Transfer to New Self Insurance Reserve (See Note 17 below)			\$0
Hamilton Commercial Facade Program		No Change			\$4,932,015
Hamilton Community Heritage Fund		No Change			\$1,483,926
Hamilton Entertainment & Convention Facilities Inc.		No Change			\$821,915
HECFI - Capital	NEW	Delete - Transfer to new HECFI Capital & Current(See note18 below)			\$0
HECFI - Current	NEW	New - HECFI Capital Reserve	\$1,601,839		\$0
Hamilton Public Library - Capital Projects	CH00204	New- HECFI Current Reserve	\$0	\$250,000	\$0
Hamilton Rehabilitation Loan Program		Delete Transfer to Capital Projects (see note 19 below)			\$0
Off Street Parking		No Change			\$797,683
PARCL Project		No Change		\$68,494	\$0
Park Improvements at Ivor Wynne Stadium		Delete - Transfer to Capital Projects (See note 20 below)			\$0
S.P.C.A. Capital Projects		Delete - Transfer to Capital Projects (See Note 21 below)			\$0
		Delete - Transfer to Capital Projects (See Note 22 below)		\$0	\$0
Grand Total			\$50,820,200	\$33,153,077	\$23,362,329

Specific Recommendations:

- Note 1. Housekeeping - Consolidation into one reserve.
- Note 2. Housekeeping - Consolidation with Equipment reserve.
- Note 3. Housekeeping - Consolidation into one reserve for Capital Program
- Note 4. Housekeeping - Consolidation of two reserves into one.
- Note 5. Housekeeping - Reclassification of reserve to reserve fund
- Note 6. Housekeeping - Consolidation into one reserve.
- Note 7. Reclassification from reserve to reserve fund, Funds are specific to elected officials retirement plan.
- Note 8. Housekeeping - Consolidation into one reserve.
- Note 9. Housekeeping - Consolidation into one reserve.
- Note 10. Housekeeping - Reclassification from reserve to reserve fund.
- Note 11. Housekeeping - Reserve no longer required.
- Note 12. Housekeeping - Funds are for capital project and should be in Capital.
- Note 13. Housekeeping - No funds remaining. Currently funded from current budget.
- Note 14. Reclassification of reserve to reserve fund.
- Note 15. Housekeeping - Consolidation into one reserve.
- Note 16. Housekeeping - reallocation of unspecified working funds to current and capital working funds.
- Note 17. Reclassification of reserve fund to reserve for self insurance.
- Note 18. Housekeeping - reclassification from reserve fund to working funds capital & current for HECFI
- Note 19. Housekeeping - Reclassification from reserve fund to reserve and consolidation into one reserve for Capital projects.
- Note 20. Housekeeping - Reclassification from reserve fund to reserve and consolidation into one reserve.
- Note 21. Housekeeping - Reclassification from reserve fund to reserve and consolidation into one reserve.
- Note 22. Housekeeping - Reclassification from reserve fund to reserve and consolidation into one reserve.

URBAN/MUNICIPAL
LAY ON HB2 AOS
M21
1996

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library 1*

CITY CLERK'S OFFICE

MEMORANDUM

URBAN MUNICIPAL

AUG 30 1996

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

GOVERNMENT DOCUMENTS

FROM: Mr. S. G. Hollowell
Acting City Clerk

PHONE: 546-2727

SUBJECT: CITY COUNCIL MEETING

DATE: 1996 August 28

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held August 27.

Please undertake to carry out the directions of City Council.

JJS/dg
att.

Minutes of Hamilton City Council
Tuesday, August 27, 1996
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Mayor Morrow - vacation

Acting Mayor Merling called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Major Garnett Cassell, Salvation Army Family Services led Council in prayer.

PRESENTATIONS

Valerie Cranmer, President of the Ontario Professional Planners Institute, presented the Communication Award for "City View...Hamilton's Plan for Tomorrow" to Acting Mayor Henry Merling and Victor Abraham, Director of Planning and Development Department.

* * * * *

Acting Mayor Merling presented to Elsie Burns a Certificate for Senior of the Year - Sackville Community Centre.

* * * * *

Acting Mayor Merling presented plaques to the following participants who participated in the 1996 International Children's Games in Sopron, Hungary in Track and Field and Swimming: Peter Self - Coach, Louise Gallant, Eric Morrison, Adam Chambers, Alex Dobranowski, Tiffany Cowling, Tom Bereza, Dawn Bond - Coach, Lukas Nantais, Erin Dermody, Julia Berglund, Darryl Chandler.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 July 9 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1996 July 17 from Tricia George, Deputy Clerk, Town of Flamborough respecting Expansion of Region of Hamilton-Wentworth Urban Transit Area.

Received.

2. Letter dated 1996 July 17 from James Brophy, 1088 1/2 Barton Street East, Hamilton, Ontario L8H 2V1.

Received.

3. Letter dated 1996 August 9 from J. J. Schatz, City Clerk advising of objections to City of Hamilton By-law No. 96-125 respecting the Westdale North Neighbourhood (Monster Homes).

Received.

4. Letter dated 1996 July 30 from J. J. Schatz, City Clerk advising of objections to City of Hamilton By-law No. 96-109 respecting the Westdale South Neighbourhood (Monster Homes).

Received.

5. Application dated 1996 July 24 from the City of Hamilton , Applicant Edward Lorne Richter, c/o 350 Parkdale Avenue North, Hamilton, Ontario for a modification to the "A" (Conservation, Open Space, Park and Recreation) District for 244 Lake Avenue North, Hamilton, Ontario

Received.

6. Application dated 1996 August 16 from Alfrin Enterprises Corporation, 554 Rymal Road West, Hamilton, Ontario for a further modification to the "C" (Urban Protected Residential, etc.) District for 73 Garfield Avenue South, Hamilton, Ontario

Received.

7. Facsimile dated 1996 August 26 from Ken S. Rosart, Rosart Properties Inc. respecting the demolition of 1187 and 1193 West 5th Street, Hamilton, Ontario. These items are also referenced in Sections 14 and 15 of the Thirteenth Report of the Planning and Development Committees Report.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Jackson in the chair.

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT

Section 34 Re: School Crossing Guards at pedestrian priority signal locations

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Ross. -15

NAYS: Alderman D'Amico. -1.

CARRIED.

* * * * *

Section 35(d) Re: Parking enforcement at special events

It was moved by Alderman Eisenberger and seconded by Alderman Ross that sub-section (d) of Section 35 of the Eleventh Report for 1996 of the Transport and Environment Committee be referred back.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Drury, Eisenberger, D'Amico, Ross. -6

NAYS: Acting Mayor Merling, Aldermen Agro, McCulloch, Morelli, Copps, Wilson, Collins, Jackson. -8.

LOST.

* * * * *

Section 35(a) Re: Parking enforcement at special events

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Caplan, McCulloch, Copps. -4.

CARRIED.

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Section 35(b) Re: Parking enforcement at special events

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen McCulloch, Copps. -2.

CARRIED.

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Section 35(d) Re: Parking enforcement at special events

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Anderson, D'Amico. -12.

NAYS: Aldermen Kiss, Caplan, Eisenberger, Ross. -4.

CARRIED.

* * * * *

Section 39 Re: Advertising benches on city road allowances - Hamilton Bench Advertising Limited

It was moved by Alderman Kiss and seconded by Alderman Caplan that Section 39 of the Eleventh Report for 1996 of the Transport and Environment Committee be referred back.

CARRIED.

PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT
--

Section 4 Re: Alcohol in Parks - Turner and Globe Parks

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 6 Re: Business Plan for the Chedoke Winter Sports Park

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Jackson, Anderson, D'Amico, Ross. -12

NAYS: Acting Mayor Merling, Aldermen Drury, Wilson, Charters. -4. **CARRIED.**

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Section 10 Re: Discontinuance of naturalization program - Scenic Drive

It was moved by Alderman McCulloch and seconded by Acting Mayor Merling that Section 10 of the Eleventh Report of the Parks and Recreation Committee for 1996 be amended by adding sub-section "(b)" as follows:

(b) That the above noted three parks be cut this one time only.

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Caplan, Drury, Morelli, Wilson, Charters, Anderson. -7.

NAYS: Aldermen Kiss, Agro, McCulloch, Copps, Eisenberger, Collins, Jackson, D'Amico, Ross. -9. **LOST.**

* * * * *

Section 10 Re: Discontinuance of naturalization program - Scenic Drive

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Jackson, D'Amico, Ross. -11.

NAYS: Acting Mayor Merling, Aldermen Copps, Wilson, Charters, Anderson. -5. **CARRIED.**

PARKS AND RECREATION COMMITTEE - TWELFTH REPORT

PLANNING & DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

Section 2 Re: Zoning Application 96-08, 712169 Ontario Ltd. (G. Malatesta)

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -14.

NAYS: Acting Mayor Merling, Aldermen Anderson. -2.

CARRIED.

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Section 9 Re: Demolition Permit for 33 Clifford Street

YEAS: Acting Mayor Merling, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

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Section 14 Re: Denial of Demolition Permit for 1187 West 5th Street

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 14 of the Thirteenth Report for 1996 of the Planning and Development Committee be referred back.

CARRIED.

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Section 15 Re: Denial of Demolition Permit for 1193 West 5th Street

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 15 of the Thirteenth Report for 1996 of the Planning and Development Committee be referred back.

CARRIED.

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Section 19 (b) Re: By-law 84-252 - allow land to be developed for residential purposes

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 19 (b) of the Thirteenth Report of the Planning and Development Committee for 1996 be amended by inserting after the word "fee" in the fifth line the words "...where such fee is paid after 1996 August 27."
CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FOURTEENTH REPORT

Section 1 Re: Hamilton and District Labour Council's offer Re: City's claim

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Collins. -1.

CARRIED.

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Section 34 Re: Option to Purchase - 571 Kenilworth Avenue North

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 34 of the Fourteenth Report for 1996 of the Finance and Administration Committee be referred back.

Recorded vote.

YEAS: Alderman Kiss, Caplan, Drury, Morelli, Eisenberger Collins, Charters, Anderson, Ross. -9.

NAYS: Acting Mayor Merling, Aldermen Agro, McCulloch, Copps, Wilson, Jackson, D'Amico. -7.
CARRIED.

* * * * *

Section 35 Re: Capital Project Account Authorization - 571 Kenilworth Avenue North

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 35 of the Fourteenth Report for 1996 of the Finance and Administration Committee be referred back.

Recorded vote.

YEAS: Alderman Kiss, Caplan, Drury, Morelli, Eisenberger Collins, Charters, Anderson, Ross. -9.

NAYS: Acting Mayor Merling, Aldermen Agro, McCulloch, Copps, Wilson, Jackson, D'Amico. -7. **CARRIED.**

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Section 38 Re: Occupational Health and Safety Resolution

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico. -14.

NAYS: Alderman Anderson. -1. **CARRIED.**

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Section 40 Re: Rule No. 9 - Use of Forecourt - Hispanic Fiesta

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting approval of the use of the Forecourt for a Hispanic Fiesta. **CARRIED.**

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Section 40 Re: Use of Forecourt - Hispanic Fiesta

It was moved by Alderman Charters and seconded by Alderman Collins that the Fourteenth Report of the Finance and Administration Committee for 1996 be amended by adding Section 40 as follows:

40. That approval be given to the request of the Hispanic Community to hold a Hispanic Fiesta on the City Hall Forecourt on Sunday, 1996 September 8 from noon until 3:00 p.m. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT

NOMINATING COMMITTEE - FIFTH REPORT

COMMITTEE OF THE WHOLE - FIFTH REPORT

ACTING MAYOR FOR THE MONTH OF SEPTEMBER, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Anderson be appointed Acting Mayor for the month of September, 1996. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

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City Council then adjourned at 9:45 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR H. MERLING

S. G. Hollowell, Acting City Clerk
1996 August 27
SGH/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1996 and respectfully recommends:

1. That City Council enact the by-law to authorize the alteration of John Street North between a point approximately 50m north of Burlington Street and approximately 13m northerly by narrowing the roadway from the existing 8.6m width varying from 6.2m to 8.6m.
2. That a "One Hour Parking Time Limit, 24 hours a day, Monday to Saturday" regulation be implemented on the east side of Hess Street South between Bold Street and Hunter Street West and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "Permit Parking" regulation on the east side of Grosvenor Avenue North commencing at a point 389 feet south of Barton Street East and extending to a point 29 feet southerly therefrom be shortened such that the regulation commences at a point 398 feet south of Barton Street East and extends to a point 20 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
4.
 - (a) That the existing "Permit Parking" regulation on the south side of Simcoe Street West between MacNab Street North and Bay Street North be replaced with a "Three Hour Parking Time Limit, 24 hours a day, seven days a week" regulation and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the maximum number of permits allowed to be issued by the Commissioner of Public Works and Traffic be reduced from 22 permits to 12 permits.
5. That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the south side of Hunter Street West between Locke Street South and Pearl Street and that the City Traffic By-law No. 89-72 be amended accordingly.

6.
 - (a) That a "No Parking" regulation be implemented on the east side of Dana Drive between Norrie Avenue and a point 72 feet northerly therefrom; and,
 - (b) That a "No Parking" regulation be implemented on the north side of Norrie Avenue between Dana Drive and a point 80 feet easterly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
7. That parking be prohibited on the east side of Berkindale Drive, commencing at Roxborough Avenue and extending to a point 118 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That a "Wheelchair Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Reid Avenue North commencing at a point 109 feet south of Ayr Avenue and extending to a point 40 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation on the east side of Ravenbury Drive (west leg) commencing at a point 209 feet south of the south curb line of Ravenbury Drive (north leg) and extending to a point 39 feet southerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue commencing at a point 391 feet south of Britannia Avenue and extending to a point 17 feet southerly therefrom, and on the east side of Fairfield Avenue commencing 375 feet south of Britannia Avenue and extending to a point 17 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Debbie Epifano, No. 165 Fairfield Avenue.
11.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue North commencing at a point 116 feet north of Macauley Street East and extending to a point 23 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Victoria Chadwick, No. 493 Ferguson Avenue East.
- 12. That the existing "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of East Avenue North commencing at a point 84 feet north of Robert Street and extending to a point 22 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 13. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation on the west side of Depew Street between Beach Road and Gertrude Street be replaced with a "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation and that the City Traffic By-law No. 89-72 be amended accordingly.
- 14. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 32nd Street between Bendamere Avenue and Elmwood Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
- 15. That the existing "Wheelchair Loading Zone, 9:00 a.m. to 11:00 p.m., Seven Days a Week" regulation on the north side of Vickers Road commencing at a point 86 feet west of Upper Wentworth Street and extending to a point 30 feet westerly therefrom be revised such that the regulation commences at a point 86 feet west of Upper Wentworth Street and extends to a point 50 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
- 16.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue commencing at a point 225 feet south of Vansitmart Avenue and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Al Caldwell, No. 333 Fairfield Avenue.
- 17.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue commencing at a point 263 feet south of Britannia Avenue and extending to a point 20 feet southerly therefrom, and on the east side of Fairfield Avenue commencing at a point 343 feet south of Britannia Avenue and extending to a point 18 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Brad Dayment, No. 177 Fairfield Avenue.
- 18.
- (a) That the existing "No Parking" regulation on the south side of Stanley Avenue commencing at Dundurn Street South and extending to a point 450 feet westerly therefrom be replaced with a "No Stopping" regulation; and,
 - (b) That the existing "Alternate Side Parking" regulation on the north side of Stanley Avenue from Dundurn Street South to a point 410 feet westerly therefrom and on the south side from Dundurn Street South to a point 459 feet westerly therefrom be removed; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 19.
- (a) That a "Permit Parking" regulation be implemented on the west side of Norway Avenue commencing at a point 24 feet north of Cumberland Avenue and extending to a point 20 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Webb, No. 301 Cumberland Avenue.
- 20.
- (a) That the existing "No Parking" regulation on the north side of Tom Street between Dundurn Street North and Breadalbane Street be switched to the south side; and,
 - (b) That a "Permit Parking" regulation be implemented on the north side of Tom Street commencing at a point 194 feet west of Dundurn Street North and extending to a point 21 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (c) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mark Smith, No. 80 Tom Street.
- 21.
- (a) That a "Permit Parking" regulation be implemented on the east side of Tragina Avenue North commencing at a point 475 feet south of Barton Street East and extending to a point 16 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Don Mitchell, No. 260 Tragina Avenue North.
- 22. (a) That eastbound traffic on Broughton Avenue be required to stop for northbound and southbound traffic on Grayrocks Avenue; and,
 - (b) That three-way stop control be implemented at the intersection of Ossington Avenue and Broughton Avenue; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 23. That westbound traffic on Kingsway Drive be required to stop for northbound and southbound traffic on John Street South and that the City Traffic By-law No. 89-72 be amended accordingly.
- 24. That eastbound and westbound traffic on Roanoke Road be required to stop for northbound and southbound traffic on Paradise Road North and that the City Traffic By-law No. 89-72 be amended accordingly.
- 25. That northbound traffic on Tia Drive be required to stop for eastbound and westbound traffic on Nugent Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
- 26. That the existing hours of the School Crossing Guard at the intersection of Courtland Avenue and Stone Church Road West be extended to include the lunch time school crossing periods on a permanent basis.
- 27. That the lunch time school crossing service be discontinued at the intersection of Inverness Avenue and Upper Wellington Street.
- 28. That the lunch time school crossing service be discontinued at the intersection of Barons Avenue North and Britannia Avenue.
- 29. That the lunch time school crossing service be discontinued at the intersection of Upper Gage Avenue and Thorley Drive.

30. That the lunch time school crossing service be discontinued at the intersection of Concession Street and East 36th Street.
31.
 - (a) That the City's share of services in "Orchard Park Estates - Phase 2", previously approved in the amount of \$3,267, be increased to a total of \$6,667 and that the additional amount of \$3,400 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,
 - (b) That the City's share of services in "Orchard Park Estates - Phase 3", previously approved in the amount of \$7,265, be increased to a total of \$14,765 and that the additional amount of \$7,500 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,
 - (c) That the City's share of services in "Orchard Park Estates - Phase 4", previously approved in the amount of \$16,573, be increased to a total of \$26,573.00 and that the additional amount of \$10,000 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,
 - (d) That the City's share of services in "Summerfield at the Orchards", previously approved in the amount of \$122,922, be increased to a total of \$152,922 and that the additional amount of \$30,000 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands.
32.
 - (a) That in accordance with the Provincial Government's 3 Rs Regulations which mandate leaf and yard waste composting, the Commissioner of Public Works and Traffic be authorized to implement a leaf and yard waste collection program in accordance with the following criteria:
 - (i) Leaf and yard waste will be collected separately from regular household garbage and recyclables; and,
 - (ii) The collection period will be from April 15th to December 15th and a Christmas tree collection in January; and,
 - (iii) Collection will be on an every other week basis with collection days designated as outlined in Appendix "A" attached hereto; and,
 - (iv) There will be no leaf and yard waste collection for statutory holidays nor will there be "make up" days for lost statutory day collections; and,

- (v) Leaf and yard waste will only be collected when properly placed at curbside and packaged in clear plastic bags with a thickness of at least 1.5 thousandths of an inch, not more than 2.75 cubic feet, capable of holding 50 lbs or 22 kg; or in suitable reusable garbage cans/containers designated by the official leaf and yard waste logo as illustrated in Appendix "B"; or in the case of brush and garden debris tied in compact bundles not more than four feet in length; and,
 - (vi) The Department of Public Works and Traffic will make available and distribute through the mail, vinyl stick on leaf and yard waste logos for use by residents in designating specific reusable containers for leaf and yard waste, on a request basis and for an amount of \$1 each sticker; and,
 - (vii) Each individual "lift" of leaf and yard waste ie. each bag or container of material shall not exceed 50 lbs or 22 kg; and,
 - (viii) Grass clippings will continue to be collected as regular residential garbage and in addition will be collected as leaf and yard waste. Promotional efforts will be made to encourage property owners to appreciate both the benefits of recycling grass clippings onto their lawn and the use of composters; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to inform the Citizens of Hamilton and affected agencies of the leaf and yard waste collection program through local media, promotions and educational seminars as may be required and within existing budgets; and,
 - (c) That in order to facilitate a program start which recognizes operational issues for both the City of Hamilton and the Region of Hamilton-Wentworth, the program start date for 1996 be October 21,
33. That the Department of Public Works and Traffic be authorized to continue to fund the Sewer Street Tree Program Account No. CH56321 60430 recognizing that this account is in an overdraft projection.

34. That School Crossing Guards at pedestrian priority signal locations be retained for a period not to exceed one month after installation of the signals, to ensure that pedestrians using the signals operate the pushbuttons and understand the signals, following which the crossing guards will be removed.

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Ross. -15

NAYS: Alderman D'Amico. -1.

CARRIED.

35. That parking enforcement be conducted in the areas of major special events such as Aquafest, Earthsong, Festival of Friends and Tiger Cat Football Games, in accordance with the following guidelines:

- (a) parking infraction notices will be issued only for safety related violations, or on a complaint basis; and,

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Caplan, McCulloch, Copps. -4.

CARRIED.

- (b) Parking Control Officers will be instructed to use as much discretion/leniency as possible; and,

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen McCulloch, Copps. -2.

CARRIED.

- (c) to promote public relations, Parking Control Officers will be instructed to assist the public by giving directions, general information or any other assistance, to the best of their ability; and,
- (d) that the cost of providing parking enforcement during annual major special events be charged to the event organizers.

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Anderson, D'Amico. -12.

NAYS: Aldermen Kiss, Caplan, Eisenberger, Ross. -4. **CARRIED.**

- 36. (a) That \$45,000 from Account No. CF758841001 be assigned for remedial repairs to the roof of the Traffic Operations Centre; and,
- (b) That Lexcan Industrial Supply Limited be authorized to do warranty repairs to the roof of the Traffic Operations Centre, on the understanding that such repairs are done with no obligation to City; and,
- (c) That the complete replacement and restoration of the roof of the Traffic Operations Centre in the year 2002 be placed in the capital budget.
- 37. That the existing "Alternate Side Parking" regulation on Country Club Drive between Greenhill Avenue and Capilano Drive be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side and that the City Traffic By-law No. 89-72 be amended accordingly.
- 38. (a) That the costs attributed to the 1' Reserve adjacent to the single family lot at the south-west corner of Queen Victoria Drive and Loconder Avenue (No. 607 Queen Victoria Drive), intended for development by the Hamilton Habitat Humanity organization, be waived, and the 1' Reserve adjacent to No. 607 Queen Victoria Drive be incorporated into the road allowance upon satisfactory arrangements with the City; and,
- (b) That the remainder of the charges attributable to the 1' Reserve adjacent to the remnant parcel abutting Loconder Drive be collected at the time of development of that parcel; and,

- (c) That the Treasurer be instructed to identify a source of funding; and,
- (d) That the Committee of Adjustment be advised of this resolution.

39. That Hamilton Bench Advertising Limited (No. 585 Main Street East, Hamilton, L8M 1J4) be permitted to place advertising benches on City Road Allowances for a ten year period, with revenue to the City of Hamilton, credited to Unclassified Revenue Account Centre 75001 for the following amounts exclusive of GST:

The greater of:

- (a) An annual fee of \$70 per advertising face per year or
- (b) 5% of the advertising revenue per year

subject to the following conditions:

- (i) That an Agreement be entered into between the City of Hamilton and Hamilton Bench Advertising Limited in a form satisfactory to the City Solicitor; and,
- (ii) That the applicant provide an alphabetical street name inventory, defining where all benches are placed on the road allowance; and,
- (iii) That the applicant provide, at the time of each annual payment, a map indicating the location of each bench; and,
- (iv) That the applicant provide \$5,000,000 public liability insurance, naming the City as an added insured party, and saving the City harmless from all action, interests, claims, demands, costs, damages, expenses, and loss; and,
- (v) That the Mayor, City Clerk and Treasurer be authorized and directed to execute the Agreement on behalf of the City; and,
- (vi) That no benches with advertising be placed in the City of Hamilton's "Downtown Area" bounded by and including Main Street and Wilson Street, and Bay Street and Wellington Street; however such restriction shall not apply to benches for charitable organizations or for benches without advertising; and,
- (vii) That no benches with advertising be placed at bus stops with transit shelters where advertising is on the transit shelter; however such restriction shall not apply to benches for charitable organizations or for benches without advertising; and,

(viii) That the applicant be permitted to install a maximum of 500 large benches with advertising faces and 500 small benches with no advertising at locations determined by the following criteria:

1. No bench shall be placed in such a manner as to obstruct pedestrian traffic and in no case shall it be placed on a sidewalk having a width of 2.0m or less; and,
2. No bench shall be placed within 6.0m of any fire hydrant; and,
3. No bench shall be placed so as to interfere with or obstruct any street maintenance operation, and in no case shall a bench be within 11.0m of a bus stop during the months of December to April inclusive; and,
4. Benches shall not be installed until prior approval of each bench location is received from the Commissioner of Transportation (Region), and in all commercial areas, benches shall not be installed without first obtaining the approval of the Neighbourhood Business Association. All benches shall be maintained to the satisfaction of the Commissioner of Transportation (Region); and,

(ix) The Applicant shall make available to the City 5% of the benches for local service organizations who will be responsible for the cost of the artwork only.

REFERRED BACK.

40. That the Regional Municipality of Hamilton-Wentworth be advised, through the Transportation Services Committee that the City of Hamilton rejects the recommendation respecting Annual Planting and Maintenance of Flowers (RDS 96-024(a)) which was received by the Transportation Services Committee and forwarded to the City of Hamilton for comments.

41. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-41 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-42 A By-law to Amend By-law No. 89-72 to Regulate Traffic

- (c) A-43 A By-law to Alter John Street North by narrowing the roadway

Respectfully Submitted,

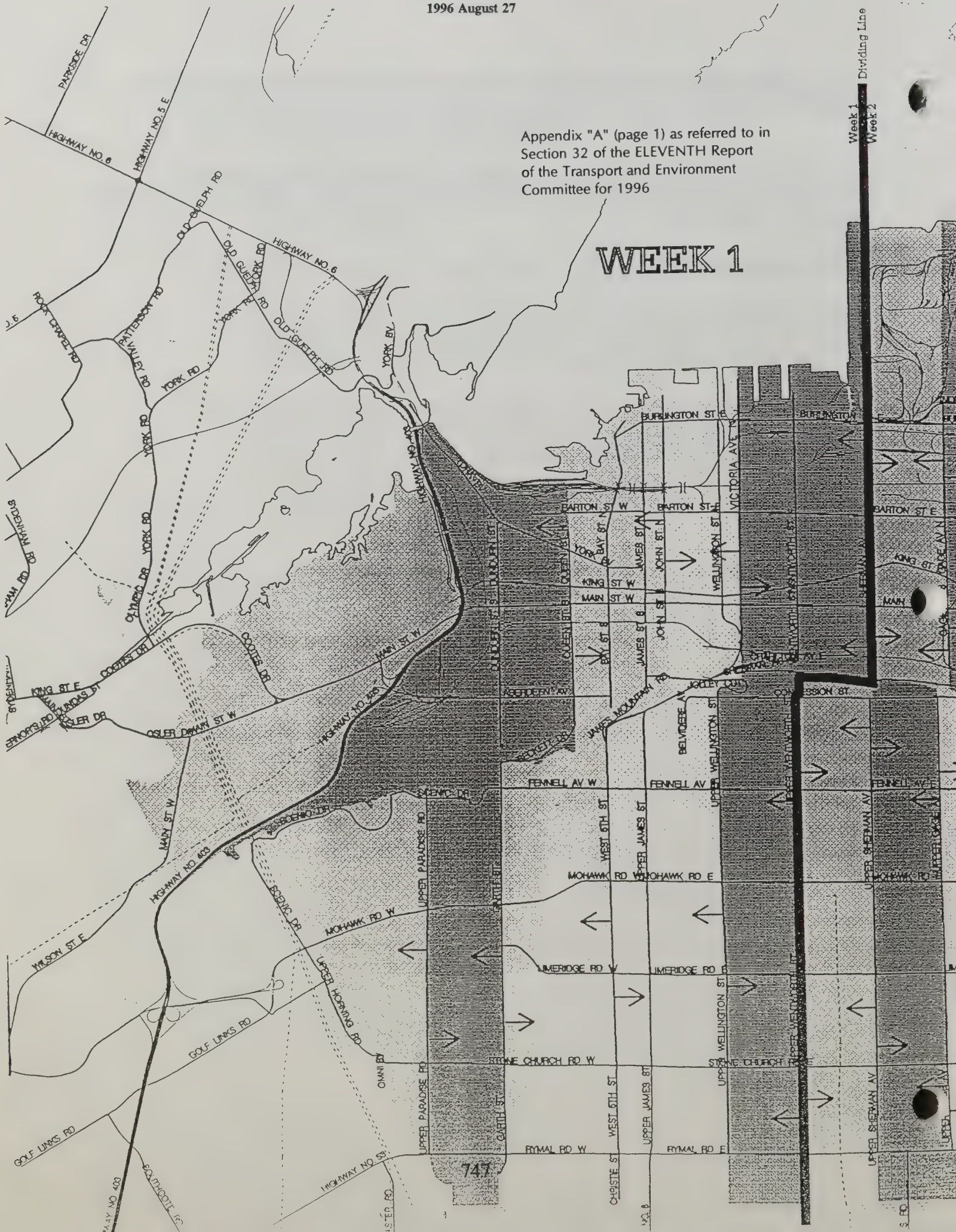
**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary
1996 August 19**

Appendix "A" (page 1) as referred to in
Section 32 of the ELEVENTH Report
of the Transport and Environment
Committee for 1996

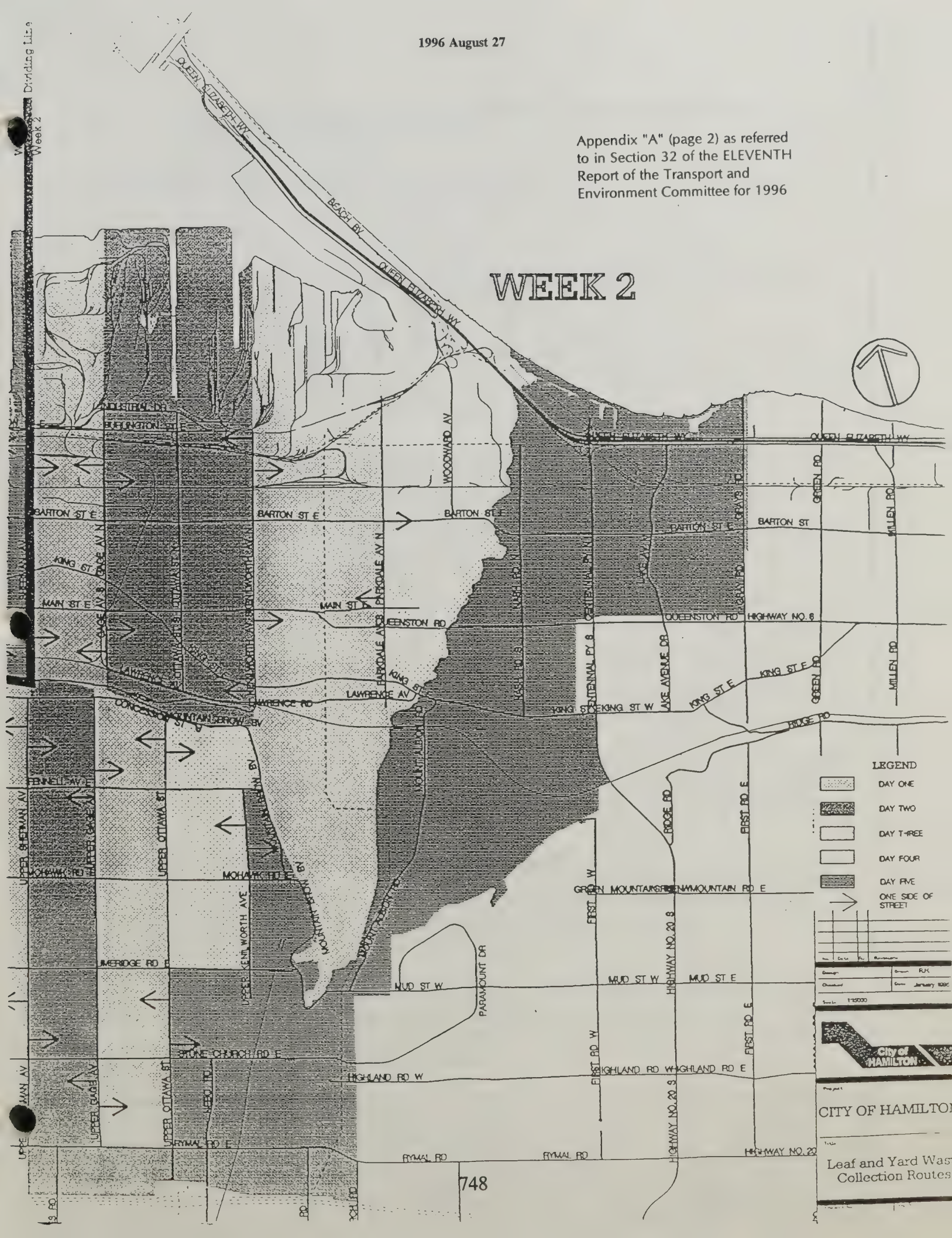
WEEK 1

Week 1
Week 2



Appendix "A" (page 2) as referred to in Section 32 of the ELEVENTH Report of the Transport and Environment Committee for 1996

WEEK 2



LEGEND

- DAY ONE
- DAY TWO
- DAY THREE
- DAY FOUR
- DAY FIVE
- ONE SIDE OF STREET

Drawn	By	R.H.
Checked	By	January 1996
Scale	1:15000	



CITY OF HAMILTON

Leaf and Yard Waste Collection Routes

Appendix "B" as referred to
in Section 32 of the ELEVENTH
Report of the Transport and
Environment Committee for 1996



SIZE APPROX. 16" (.40 m) DIAMETER



Project **LEAF & YARD WASTE
COMPOSTING PROGRAM**

Title **DECAL FOR OTHER PUBLIC
WORKS VEHICLES**

Date **SEPT. 1**

Scale **N.T.S.**

Dwg. No.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the three dimensional objects from Dundurn Castle's collection that are listed on Appendix "A" attached hereto; and,
 - (b) That the deaccessioned items listed above be disposed of according to the Museum Policy and City of Hamilton Purchasing Policy; and,
 - (c) That any funds realized from the possible sale of these objects be deposited into the Conservation of Collections Account (No. CH57406 71505) for future preventive care and treatment of Dundurn Castle artifacts.
2. (a) That approval, as required by Parks By-law No. 95-126, Sections 16 and 23, be given to Remax Realty Inc. to provide hot air balloon rides at Sackville Hill Park on 1996 Friday, September 20 and Saturday, September 21, in conjunction with the Hospitality and Tourism Show, subject to the following:
 - (i) That insurance, in the amount of \$3 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross-liability, severability provisions and thirty (30) days notice of cancellation be provided; and,
- (b) That approval, as required by Parks By-law No. 95-126, Sections 16 and 23, be given to Jump & Bounce Inc. to provide a children's activity centre at Sackville Hill Seniors' Centre on 1996 Saturday, September 21, in conjunction with the Hospitality and Tourism Show, subject to the following:
 - (i) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross-liability, severability provisions and thirty (30) days notice of cancellation, be provided.

3. That in respect of the lawn bowling clubhouse and related greens (on the grounds of the Hamilton Psychiatric Hospital) owned by the Province,
 - (a) That the City approve the Mount Hamilton Lawn Bowling Club's request to join with the Club in leasing the lawn bowling clubhouse and greens from the Province for a lease renewal term of ten years. Rent is the annual sum of \$5 per year plus all building maintenance and green costs, including utilities, insurance, lighting, water and security; and,
 - (b) That prior to the City executing the said lease renewal as co-tenant with the Club, that the Club enter into a cost sharing agreement with and satisfactory to the City to confirm, as between the City and the Club, the obligations and the costs under the Lease, to be assumed and performed by each of the co-tenants.
4. (a) That approval, as required by Section 11 Parks By-Law No. 95-126, be given to Slo-Pitch Ontario and Labatt Breweries of Ontario to sell alcoholic beverages at Turner and Globe Parks, August 30 to September 1 and September 6 to September 8, in conjunction with the 1996 Slo-Pitch Provincial Championships, subject to the following terms and conditions:
 - (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage, Bodily Injury and including Liquor Liability, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,
 - (iii) That alcoholic beverages be served in a confined and fenced area of the Park; and,
 - (iv) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcohol; and,
 - (v) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (vi) That the Concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location; and,

- (vii) That the organizers and their workers who are providing alcoholic beverages be encouraged to participate, in server intervention training; and,
- (b) That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the 1996 Slo-Pitch Provincial Championships to be of municipal significance.

Recorded vote on 4(a).

YEAS: Acting Mayor Merling, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -15

NAYS: Alderman Jackson. -1.

CARRIED.

- 5. (a) That Council approve a minor change in the scope of work for the capital project Dundurn Castle Phase II, Stables Conversion on the understanding that no additional capital funds will be required as the additional work will be financed from savings, totalling \$131,251 from other elements of the overall Dundurn Castle Restoration project, trust accounts and from interest attributable to grants received from senior levels of government for the project; and,
 - (b) That the following Capital Accounts be closed: CF719141002 (Dundurn Castle, Phase I, \$9,352), CF719355010 (Dundurn Castle Restoration Study, \$2,545) and CF719141008 (Dundurn Castle Phase I, Cockpit Theatre Restoration, \$22,806); and,
 - (c) That the Finance and Administration Committee recommend the method of financing; and,
 - (d) That staff be authorized to increase the Purchase Order for Taylor Hazell Architects a maximum of \$13,000 (additional fees are currently being negotiated) to compensate for additional scope of work and the increased construction value of the project.
- 6. (a) That the Director of Culture and Recreation be authorized to implement the Revised Public-Private management option of the Business Plan for the Chedoke Winter Sports Park as outlined in Appendix "B" attached hereto for a one year period ending in fiscal 1997; and,

- (b) That the Director of Culture and Recreation be directed to report to the Parks and Recreation Committee relative to the success of the Business Plan.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Eisenberger, Collins, Jackson, Anderson, D'Amico, Ross. -12

NAYS: Acting Mayor Merling, Aldermen Drury, Wilson, Charters. -4. **CARRIED.**

7. (a) That an Offer to Purchase (Easement), duly executed by Hamilton Hydro Electric System on 1996 July 19 and scheduled to close on or before 1996 October 15, concerning lands municipally described as No. 96 Mary Street, being part of Beasley Park at the north-east corner of Mary and Wilson Streets legally known as part of Lots 1, 2, 3, 4 and 24, Registered Plan 255 and Part of Alley closed by Judge's Order Instrument No. 58400CD, for a 3.0 metre wide easement for underground concrete box ducts enclosing hydro-electric cables a minimum of 0.91 metres (3 feet) below grade, be approved and completed and the funds derived from this sale of \$22,000 be credited to Account No. CH4X501 00102; and,
- (b) That the required deposit cheque in the amount of \$2,200 (10% of total price) be held by the City Treasurer pending Council approval; and,
- (c) That Regional Surveys be authorized to prepare a plan for the proposed easement, as required for registration; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
8. That the Director of Culture and Recreation and the City Solicitor be authorized to meet with the owner of J.A. Enterprises to renegotiate certain terms and conditions, but not the duration, of the contract between the J.A. Enterprises and the City of Hamilton for the operation of the restaurant at Chedoke Civic Golf Courses.
9. (a) That the bid from the internal staff team to manage and operate the Chedoke Twin Pad Arena indicating a Net Loss of \$17,120 over the next three years be accepted, as the best qualified and lowest net cost proposal to the City when compared to bids from PROFAC Management Group Ltd. (loss of \$354,969) and Bassai Limited (loss of \$62,094) as submitted in response to a Request for Proposal process; and,

- (b) That acceptance be contingent upon verification that the Collective Agreement will not need to be amended to permit this proposal.

10. That the Commissioner of Public Works and Traffic be directed to discontinue the naturalization program on the north side of Scenic Drive between the west limit of the Chedoke Hospital property and the west entrance of the Bruce Trail, at Gage Park and at Father Sean O'Sullivan Park.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Jackson, D'Amico, Ross. -11.

NAYS: Acting Mayor Merling, Aldermen Copps, Wilson, Charters, Anderson. -5.

CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1996 August 20

Appendix "A" as referred to
Section 1 of the ELEVENTH Report
of the Parks and Recreation
Committee for 1996

1983.56.1	Chair
OC.548.16	Wood pole
OC.549.11	Wood pole
OC.549.1a	Wood pole
OC.548.1a	Wood pole
979.OC.26.1	Wooden display piece
1983.57.17a-p	furrier's sewing machine
OC.336.18	Fireman's Ribbon
OC.336.17	Fireman's Ribbon
OC.1122.1b	Bronze howda
OC.1122.1a	Bronze elephant teapot
OC.557.1	Souvenir toy canoe paddle
979.OC.333.3	Flax heckle
1979.20.8a & b	Sock stretchers
1970.127.3	Wood fragment
979.OC.376.2	Wood fragment
OC.391.10.1	Metal wall brackets
OC.391.10.2	Metal wall brackets
OC.391.8	Handcuffs
OC.348.7	64 oz. weight
OC.348.9	Handcuffs
OC.630.1	Handcuffs
T979.416.1	Hand forged implement
OC.1159.1	Heavy door lock
979.OC.333.2	Flax heckle
T474.701.1	Handmade tool
T979.680.1	Handmade tool
T979.180.1	Handmade tool, brass, mahogany
T979.664.1	Spring?
1979.23.3.2b	Wrench
T979.129.1	Handmade tool
T979.205.1	Small scraper
T979.723.2	Brass ferule
T979.712.1	Profile board
1970.108.1	Chipped ironstone bowl
1970.152.1	Brass curtain rod finial
1970.151.1	Brass escutcheon
1970.156.1	Wooden finial
1970.153.2	Large cast iron shelf brackets
1970.153.1	Large cast iron shelf brackets
1970.177.1	Cast iron bracket
1970.139.1	Piano stool
OC.668.3	2 gas wall sconces

979.OC.533.1	Frame
979.OC.546.1	Frame
1976.13.1	T square (Hendrie)
OC.21.1	Horsehide trunk
OC.940.1	Large embroidered tapestry
979.OC.7.1	Hair wreath with frame
979.OC.426.4	Large frame
979.OC.269.14	Oval Frame
979.OC.41	Framed hair wreath
OC.304.2	ships wharf model
OC.306.2a	City hotel model
OC.306.3a	burning house model
OC.306.1	Burlington Heights model
OC.302.1	Smiths Tavern model
OC.303.3a	Trolley car model
OC.303.2	wagon/horse model
OC.302.3a	country scene model
OC.305.1	Church model
OC.304.1	Train model
OC.303.1a	Trolley wagon model
OC.305.2	Dundurn model
OC.302.4a	Fountain model
979.OC.6.1	Framed feather flowers
1992.13.1 & .b	Gas light fixture
OC.345.1	Carousel model
18	Trunk
1985.101.15	Silver mounted buggy whip
979.OC.17.1	Framed folk wooden carving 1888
979.OC.108.1	Wooden frame
979.OC.42.83	Wooden frame
OC.708.1	Frame
OC.232.1	Frame
979.OC.396.1	Egg collection
979.OC.9.1	Dried flower wreath
979.OC.11.1	Wool flower wreath
979.OC.2.1	Wool embroidered wreath
979.OC.428.2	Frame
979.OC.428.1	Frame
1968.13.1	Metal bathtub
OC.316.1	architectural segment
OC.298.1	model cabin
OC.940.1	embroidered textile
	horse hair trunk
OC.471.1a,b	wardrobe with drawer
OC.37.1	musical instrument
968.1?2a	head board

2 victorian dressers (#'s not accessible)
 1971.177b,a crock pot
 1970.131.1 board
 979.0C.12.1 feather wreath
 1976.11.56a,b men skates
 1976.11.33a,b men skates
 1983.56.1 wooden chair
 1979.663.1 metal spike
 1979.654.1 metal spike
 1979.661.1 metal spike
 0C.710.1 fireplace metal bracket
 0C.710.2 fireplace metal bracket
 1979.5.1 farm implement (partial)
 0C.343.2 piano stool
 1970.136.1 basket
 1970.136.2 basket
 1980.2.1 doll buggy
 1970.133.1 hall stand
 0C.34.3.1 piano stool
 T979.744.1 farm implement
 1979.20.6 farm implement
 T979.633.1 blacksmith tool
 T979.710.1 blacksmith tool
 T979.708.1 blacksmith tool
 T979.647.1 blacksmith tool
 T979.706.1 blacksmith tool
 T979.660.1 blacksmith tool
 0C.445.34b wood spindle
 0C.445.40 spinning wheel part
 0C.445.35 spinning wheel part
 0C.445.40 spinning wheel part
 0C.340.1 child's three wheel bicycle
 1983.56.2 hall chair
 0C.458.1 furniture fragment
 0C.700.1 wooden decorative fragments
 0C.700.2 wooden decorative fragments
 0C.655.1 wooden artifact with turning device
 0C.445.32 wool winder part
 0C.445.20 wool winder part
 979.0C.24.1 bust of unidentified man
 0C.358.1a clock
 979.0c.371.7 tortoise shell calling card case
 1976.11.58a quiver
 1978.11.58e to h arrows
 0C.1.1 piano and parts
 0C.381.22.1-6 wooden brackets

0C.381.4.1-12	wooden curtain rings
0C.381.2.1-28	wooden curtain rings
0C.381.23.1-20	wooden curtain rings
0C.381.8.1-9	wooden curtain rings
0C.381.5.1-43	wooden curtain rings
0C.381.1.1-12	wooden curtain rings
0C.381.19.1	brass curtain ring
0C.381.10.1	end piece to curtain rod
0C.381.21.1	curtain rod finial
0C.381.7.1	curtain rod finial
0C.381.7.2	curtain rod finial
0C.381.11.1-5	brass curtain rings
0C.381.12.1-4	brass curtain rings
0C.381.13.1-6	brass curtain rings
0C.381.14.1-4	brass curtain rings
0C.381.15.1-6	brass curtain rings
0C.381.17.1,2	brass hardware
0C.381.18.1-10	brass hooks
0C.381.9.1	brass curtain ring
0C.381.6.1-12	wooden curtain rings
0C.381.3.1-41	wooden curtain rings
1969.572	wall mound electric light
0C.445.1	spinning wheel part
0C.445.2	spinning wheel part
0C.445.19	spinning wheel part
979.33.26	curtain rod holders
979.33.16	curtain rod holders
979.32.1-15	wooden curtain rings
979.3.5.1	curtain rod bracket
979.3.5.2	curtain rod bracket
979.3.4.1	curtain rod bracket
979.3.4.2	curtain rod bracket
979.3.1.1	large curtain rod rings

Chedoke Winter Sports Park

Executive Summary

Appendix "B" as referred to in
Section 6 of the ELEVENTH Report
of the Parks and Recreation
Committee for 1996

Background

Council, at its meeting of 1995 March 28 consolidated responsibility for the management and operation of the Ski Hill facility within the Department of Culture and Recreation and instructed the Director to prepare a Business Plan that was based on a break even budget for consideration prior to the start of the 1996/97 season.

In preparing the plan staff have reviewed the operations of various private and municipally operated ski hill facilities within neighbouring municipalities.

The Ski Hill operation is an important and significant recreation resource. In resort terminology, Chedoke is a "breeder" resort - this is a local resort which has great accessibility, less expensive and is basically for learning and training.

Current Operational Approach

In assessing the current operation, two principles should be kept in mind: the need to ensure that the ski hill operates at a reasonable cost, and the community wishes to ensure that the ski hill is operated with tow and rental rates that are accessible to as many of its citizens as possible.

It is very clear that the previous method of operation with the 5 partners and the shared responsibility between 3 departments made it extremely difficult to operate the ski facility in a cost effective manner.

In 1995 the realigning of the decentralized management from three civic departments, Public Works, Culture and Recreation and Property into one single management/administration has enabled the Culture and Recreation Department to define the inefficiencies.

The method of operation involves a partnership between the City and four private sector partners. The concession operation has been contracted out to a private restaurant/caterer operator. The Golf Pro/Manager who operates as a business is responsible for the administration. In addition, the Ski Lessons and Ski Rentals are operated by private partners. Each is responsible for the administration and operation of the lessons and ski rentals.

The food concessionaire pays a fixed rental and applicable commercial and retail taxes to the City. In turn the operator is free to conduct business, responsible for all expenses and is able to retain all revenues.

The Golf Pro/Manager receives a fixed sum to manage the ski operations from December 1 to March 31, responsible to sell tow tickets and ski packages, collect fees and prepare the required financial statements. In addition, within that fixed sum is compensation for wages and benefits for part-time temporary employees required for the issuing of tow tickets, ski packages and monitoring the ski hill operations.

With respect to the Ski Lesson operator and the Ski Rental operator, the City receives a fixed sum for each participant registered in the lesson program and a percentage of the profit from the rental operator.

There is no contractual agreement, only a verbal agreement which has never been revised or formalized. Overhead costs which include the provision of space in the clubhouse for the ski rentals, the lesson program administration and phone are the responsibility of the City.

City staff maintain the slopes and clubhouse and are responsible for the day-to-day operation of the lifts, at City expense. The City receives all revenues generated from tow tickets and ski packages. In 1995 the net cost of the ski operations was approximately \$362,535.

The ski season is not a long one and the hours of operation are very limited.

The current labour arrangement provides for full time unionized staff transferred on a seasonal basis between Public Works, Parks Division and Culture and Recreation. Approximately 63% of the total expenditure is attributed to staff salaries and benefits.

Schedule A contains a 5 year comparative budget analysis based on actual expenditures.

Schedule B identifies the costs and participation breakdowns including cost per hour to operate, cost per participant to the City, hourly cost of the operation and the rate of subsidy to the City.

Schedule A - Actuals

Year	Public Works- Parks Division Expenses	Culture & Recreation Expenses	Property & Maintenance Expenses	Total Operating Expenses	Total Revenue	Net Operating Expense	% Revenue to Total Operating
1991	461,678	24,158	32,175	518,011	49,965	468,046	9.7%
1992	434,520	25,000	21,709	481,229	41,614	439,615	8.7%
1993	443,675	17,454	28,876	490,005	114,162	375,843	23.3%
1994	406,470	7,918	31,503	445,891	110,156	335,735	24.7%
* 1995	50,838	393,127		443,965	81,430	362,535	18.3%
* 1996		440,170		440,170	87,525	352,645	19.8%

* The Public Works Expenses in 1995 reflect overhead costs that occurred prior to the transfer of the operations into a single management structure within the Culture and Recreation Department.

* Based on 1996 projected actuals.

Schedule B

	1995 Actuals	1996 Projected Actuals
Total # of Skier Visits	12,059	15,000
# of operational days	37 days	52 days
# hours of operation	259	400
# of Skier Visits per day	326	289
Average number of participants per hour	46.5	37.5
Total Operating Cost	\$443,965	\$440,170
Total Revenue	\$81,430	\$87,525
Net Operating Cost	<u>\$362,535</u>	<u>\$352,645</u>
Net Cost per Hour	\$1,399.71	\$881.62
Gross Cost per Participant	\$36.81	\$29.35
Avg. Skier Visits per Hour (Revenue)	\$6.75	\$5.84
Per Hour Cost being Subsidized	\$30.06	\$23.51
Rate of Subsidy	81.7%	80.1%

The current operation is heavily subsidized. Predominant users are children and youth, if we keep consistent with the overall Departmental approach to pricing at 50% subsidy level we still have a ways to go to achieve this. If we take the same view for Adults consistent with the overall Departmental approach which is to achieve a break even, it shows we are along way from this. Consideration will have to be given to what the market can bear and the break even objective may be delayed over a longer period and a phase-in approach will have to be considered. The full costing approach developed by David M. Griffith and Associates and incorporated into the Corporate User Fee Policy recommends an overall annual increase of 10%.

The current operational review provides the framework and guidance necessary to address the cost recovery and cost effectiveness of the operations.

A Proposed Vision for the Chedoke Winter Sports Park

Chedoke Winter Sports Park provides an opportunity within the heart of the City for the local community to enjoy the outdoors during the winter months. Activities include: downhill skiing for beginner and experienced skier, cross country skiing, tobogganing, skating, hiking and a cozy warm clubhouse. Aggressive program development, marketing and careful management of the operation has increased participation.

The adoption of an aggressive business plan in 1996 will enable the ski hill to be operated with minimum subsidy from City taxpayers by 1999. City staff, with the private sector partners have combined efforts to ensure first class conditions and outstanding customer service.

Operational Options

Central to the formulation of the Business Plan is a principled decision as to whether the City of Hamilton should be in the business of operating a ski hill facility. Inherent in Council's decision to seek a plan to achieve a break even budget is a position that is it is prepared to stay in the business only if does not need to apply Property Tax income to subsidize the operation of the facility. If this cannot be achieved, our assumption is that Council would be prepared to seek a private operator or close the operations totally.

Both municipally and privately operated ski hill facilities are evident in the area and across the Province. Traditionally, it has been the role of the civic ski hill facility to provide low cost access to skiing, in effect serving a different market segment from the larger ski resorts. Learn to ski and training for the experienced skier are seen as the primary objectives of civic ski hills.

As the prime vehicle for the coordination and delivery of sport and recreation opportunities the Culture and Recreation Department would appear to be well-positioned to manage the operations. Municipally operated ski hill facilities are prevalent, North York Ski Centre and Etobicoke-Centennial Park are examples of cities where civic staff manage their own operations.

To be sure, other models exist. The City of Vaughan has contracted out the management of its municipal golf and ski operation.

Schedule H at the end of this report highlights other municipal operations.

Our goals in preparing the ski hill business plan have been:

- To manage all expenses
- To increase revenues
- To identify what hampers revenues

The following provides Committee with an opportunity to evaluate 4 different options: one the existing public-private partnership; two privatization of the ski hill facility; three a revised public-private operation and four is to close the operation totally.

Analysis of the Options

#1 *Existing Public-Private Partnerships*

Under this proposal, the City would continue to operate the Ski Hill facility under the existing public-private partnerships but fair market value would be charged for the use of facilities by the private operators of the lessons and rentals.

The concession operation would continue the current method of operation which involves a contract with private restaurant/caterer operator. The contract involves the payment of fixed rentals and applicable commercial and retail taxes to the City. In turn the operator is free to conduct business, responsible for all expenses and able to retain all revenues.

The Golf Pro-Manager who operates as a business receives a fixed sum from the City to manage the ski operations from December 1 to March 31. Within the fixed sum is compensation for wages and benefits for part-time staff to assist with the daily administration and monitoring of ski hill operation.

The Ski Lesson and Ski Rental operators and the City would enter into agreements that would be consistent with fair market value for space required, applicable property and business taxes and utilities. In addition they would assume costs for phones and other related services they require to carry out their business. In return the City would realize an additional estimated increase in revenue of \$10,000.

City staff maintain the slopes and clubhouse and are responsible for the day-to-day operation of the lifts, at City expense. The City receives all revenues generated from tow and ski packages. In 1995 the total operating costs was \$443,965, revenue was \$81,430 resulting in a net cost of \$362,645.

Our review revealed that this is the least cost effective option. Under this proposal the maximum cost recovery achievable is 25-30%, the City would continue to incur substantial costs. This is not a good business operation as it limits the City's opportunities; the organizational structure hampers our capacity to increase revenues and control expenses; restricts our ability to manage expenses and expenses are likely to increase at a greater rate than revenue; revenue increases limited to tow and ski package fees.

#2 *Privatization*

Committee could choose to seek a private operator through a Request for Proposal Process. It is possible that this approach could guarantee a higher return to the City through a guaranteed payment for the right to operate and through the initiation of payment of commercial and retail taxes. Staff assume that the value of the contract would be proportional to the degree of freedom granted to the contracted firm relative to lift fees and maintenance standards. Staff are of the belief that under the current operation, with the current revenues, expenses and as a stand alone operation, a private operator may not be willing to step in. In partnership with the municipal golf courses, staff are of the belief that there would be multiple bidders, thereby, guaranteeing a full and competitive process. To be sure this model exists, the City of Vaughan contracts out the maintenance and management of its ski and golf operation.

Under the terms of Collective Bargaining Agreement, staff may not be laid off, therefore they would have to be reassigned and salary base transferred. Salary and Wages represent an estimated 58% of the current

budget and operating expenses 42%. Privatization of the operation would result in a savings of approximately 42% to the Corporation. Further savings could be achieved through the layoff of staff currently employed within the operation.

Finally, savings within the capital budget could be achieved should the private sector operator be required to finance all capital improvements. There are two capital works projects within the 1996-2005 Capital Program; one is a lighting enhancement project scheduled in 2002 for \$62,000 and the second is a ski improvement project scheduled in 2003 for \$279,000.

A number of issues were identified regarding the privatization of the facility:

- We would be looking at a new operator as the current partners are not in a position or willing to step in to take over the operation.
- Current contract with food concessionaire, private operator would probably want the concession operation.
- An aging capital infrastructure in need of upgrading and replacement.
- An uncertain customer base.
- Uncertain weather conditions.

The following schedule estimates the cost benefit of a privatized operation.

	Based on 1996 Budget Estimates
Operating Savings	\$184,430
Capital Savings	\$341,000
	<u>\$525,430</u>

#3 A Revised Public - Private Operation

Our review revealed that the operation has the ability to minimize the property tax income needed to subsidize the operation. The implementation of a revised public-private operation will provide a smooth transition to for the skiing community.

In all other recreation venues we are approaching the break even level for adult use, mitigated only by what the market can bear. With respect to children the 50% subsidy level is consistent with the overall Departmental approach to pricing. This approach is logical as we review the objective to achieve a break even position and assist with understanding the net cost under a revised public-private operation. The primary user of the ski hill facility is children. As a "breeder" resort geared to learn to ski, our main focus is on children's program, they are the major user for both recreational skiing and the lesson program.

We would anticipate a net cost under the Departmental approach with the understanding to minimize these costs with the goal to achieve a break even position. This will be accomplished by both annual user fee increases, as incorporated in the Corporate User Fee Policy and an increase in skier visits.

As an alternative to the current management system the following were seen as issues to achieving the break even position.

a) Management Structure

Under this proposal, the private concessionaire and the Golf Pro/Manager would continue to operate under the current format and all other services would come under the control of the City. All revenues from tow tickets, lessons and special interest programs come fully under the control of City staff. In discussions with Mr. McCaughey, Chedoke Ski School the net proceeds will cover his salary and wages and generate an operating surplus that will enhance the financial position of the ski hill operation. The Ski Equipment Rentals would come under the control of the City in two years, for the interim a private operator through the request for proposal process would operate the rentals and assume all costs for the ski rental inventory.

We believe this relationship will improve the overall operation by more closely aligning the operations and program priorities.

b) Extending Ski Season and Hours of Operation

It is clear, if the ski hill is to operate at a break even objective or a significantly reduced loss, it must be open for longer hours and more days in the season.

We have the ability to extend the planned season to 10.5 weeks (commencing Dec. 18th until March 1) from the 8.6 weeks (Jan 1 to March 1) and increase the hours of operation from 35 hours to 50 hours per week. This maintains the current 5 day a week operation but extends the hours to include afternoons and Saturday and Sunday evenings. This approach is balancing the needs of operation with the manpower requirements and cost effectiveness. Naturally, the season is weather permitting.

Under this proposal, revenue generating opportunities increase through daytime availability, additional recreational skiing hours, increase in number of lessons/rentals, Christmas packages for adults and children and special events.

c) Organization of Manpower

Our review revealed that under our current organizational structure, salaries and benefits accounts for approximately 58% of total expenses.

The staff employed to the ski hill operation are unionized staff. The basic hourly rate and the number of staff as snowmakers, groomers and mechanics is similar to that of other ski operations in the area of full time staff. However, all other ski operations use part time staff to perform lift operation functions, at a significantly lower rate (\$6.00 - \$8.00/hour) than the \$17.00 our unionized tow operators receive.

Currently, we are experiencing a high rate of labour for low skilled jobs. Methods to address this are cross training and student labour.

Labour costs are higher than industry standards, if zero is the target labour costs must be lowered. In order to reduce per hour operating costs accommodation of part time employees or students is a must. Further negotiations and dialogue with union leaders is critical to achieving a cost effective operation.

We are proposing a modified operation which combines full time staff for the snowmaking, grooming and mechanical functions and part time staff or students for the tow operation. This method of operation is compatible with most facilities, especially where the objective is to break even (North York, Etobicoke). This modified operation is geared to prime time hours and high participation yet reduces the salary and

wage budget by some \$51,000. With part time staff, the operation has the flexibility to be a 5 - 7 day a week operation and in the event that conditions do not permit opening or there is limited skiing, the schedule can be modified accordingly. Part time staff are on call, something our current structure does not permit. The hours and schedule maximize a variety of programs and revenue generating opportunities while reducing our operating expenses through the use of part time staff.

The modified operation is the most advantageous to achieving a substantially reduced net cost to the City or a break even position.

The following comparison schedule provides an outline of labour costs.

	Options	# of Full Time Staff	# of Part Time Staff	Salary & Wage Budget	Hours of Operation	
#1	Current Operation - 35 hours/week for 8.6 weeks	22 10 snowmakers/ groomer/mechanic \$148,811 12 Tow Operators \$95,125		\$243,936	Mon - closed Tues - closed Wed - 3 - 10 pm Thurs - 3 - 10 pm Fri - 3 - 10 pm Sat - 9am - 4pm Sun - 9am - 4pm	total man hrs - 12,336
#2	Modified Operation - 50 hours/week for 10.5 weeks - Part time student labour @ \$7.50/hr	10 snowmakers/groomer/ mechanic \$148,811	50 10pt tow operators per day for 5 days \$7.50x55x10x10.5wks \$43,313	\$192,124	Mon - closed Tues - closed Wed - 1 pm - 10pm Thurs - 1pm - 10pm Fri - 1pm - 10pm Sat - 9am - 9pm Sun - 9am - 8pm	total man hrs - 13,063

d) Other Related Operating Expenses

In addition to the salary, wage and benefit expenditures, the operation requires additional funds to maintain the operations ie: heating and hydro, rental of snow grooming equipment, etc. These costs although variable are budgeted at \$184,430 and represent 42% of the budget. With the increase in hours and operating days it is expected these costs will remain relatively the same.

Schedule F at the completion of the Executive Summary outlines the total expenditures.

e) Lift Rates and Fees

Our primary usage is in the area of "learning to ski". Our present tow ticket structure does not lend itself to support this area.

Staff have reviewed a time ticket system for public skiing that offers unlimited runs during the period purchased and believe this would be well received by the skiing community. Skiers have the option to ski under a number of tow choices. It provides for better customer service and the opportunity to increase participation.

The introduction of a Senior tow ticket is new and the full day lift ticket increases slightly for both adults and children.

	1 HOUR	2 HOURS	4 HOURS	FULL DAY
Junior	\$4.00	\$8.00	\$10.00	\$14.00
Adult	\$5.00	\$10.00	\$12.00	\$17.00
Seniors (60 yrs.+)	\$4.00	\$8.00	\$10.00	\$14.00

Season Passes

After a review of the ski packages, it is recommended we reinstate season passes. Pass sales are key revenue generators and can be a great marketing tool to entice the regular users and increase skier visits. The pass fees are comparable with the ski packages for adults and children with the addition of a senior and family pass.

Full Season	before November 15	after November 15
Junior (under 18 yrs)	\$100.00	\$110.00
Adult	\$120.00	\$132.00
Senior (60 yrs.+)	\$ 50.00	\$ 60.00
Family	\$275.00	\$300.00

f) Lesson Program

The in-house operation of the lesson program will enable a co-ordinated and efficient program along with increased revenue potential. It will enable control of revenues, expenses and ensure the quality of program. In discussion with Mr. McCaughey, Chedoke Ski School, the net proceeds will cover his salary and wages and generate an operating surplus that will enhance the financial position of the ski hill operation.

The lesson program is the primary focus of the ski hill operation. It is the principle user and further revenue opportunity exists through the extended hours.

By establishing an in-house operation, increasing hours and the extended season we are able to provide an efficient and cost effective service while achieving our objective of minimizing the net costs to the City.

Comparison of proposed lesson fee structure

Lesson Program	1996 Private Operator	1997 City Operated
Children	\$70.00/7 wks City realizes \$18.00/registrant	\$75.00/7wks - City realizes full amount
Teens	\$75.00/7wks City realizes \$24.00/registrant	\$80.00/7wks - City realizes full amount
Snowboards	\$75.00/7wks City realizes \$24.00/registrant	\$80.00/7wks - City realizes full amount
Ladies	\$65.00/6wks City realizes \$24.00/registrant	\$70.00/6wks - City realizes full amount
Adults	\$105.00/7wks City realizes \$24.00/registrant	\$110.00/7wks - City realizes full amount

Schedule H

The following highlights of the operations of other municipalities.

Ski Area	Glen Eden	Vaughan - Uplands Ski Centre Privatized Operation - Management Agreement	Etobicoke - Centennial Park	North York - North York Ski Centre	Hamilton - Chedoke Winter Sports Park
Ski Season	- early Dec. - late Mar. (12 to 16 weeks)	- mid-Dec. until after Mar. Break (12 weeks)	- mid-Dec. until after Mar. Break (12 weeks)	- mid-Dec - mid-Mar (12 weeks)	- late Dec until Mar 1 (8.6 weeks)
Hours of Operation	- 7 day operation - Mon - Fri 10:00am - 4:30pm 6:30pm - 10:00pm Sat. 8:30am - 4:30pm 6:30pm - 10:00 pm Sun. 8:30am - 4:30pm closed evening Total hours - 70	- 6 day operation - Mon - closed Tues - Fri 10:00am - 10:00pm Sat & Sun 8:30am - 6:30pm Total hours - 68	- 7 day operation - Mon 4:00pm - 9:30pm Tues-Thurs. 10:00am - 9:30pm Fri 10:00am - 10:00pm Sat 10:00pm Sun 9:00am - 10:00pm Total hours - 77	- 7 day operation - Mon - Fri 10:00am - 9:30pm 9:00am - 9:30pm Sat 9:00am - 8:00pm Sun 9:00am - 8:00pm Total hours - 81	- 5 day operation - Mon & Tues closed Wed - Fri 3:00pm - 10:00pm Sat & Sun 9:00am - 4:00pm Total hours - 35
Concession Operations	- In-house - operate on a 25% profit Revenues \$200,000 Expenses 140,000 Profit \$ 60,000	- management agreement - private concessionaire - no return to City	- In-house - Year Round Concession - Winter Operation realizes a profit of \$35,000	- private operator - limited menu (chips, chocolate bars, pop, etc) - current revenues \$7,700 - intend to bring back in-house	1996 August 27 - private operator/year round contract (Golf/Ski) - revenue portion for winter operations approximately \$8,000
Lessons	- private concessionaire under contract. - concessionaire receives a negotiated fixed sum per lesson - lift tickets built into lesson package - fees make up 66% of applicable lift ticket rates on a pro rated basis Glen Eden receives 17% of profits	- management agreement - private - no return to City	- In-house - over 2,200 registered in group lessons - Have a very big Bd of Ed program Revenue \$215,000 Expenses 84,350 Profit \$130,737 - Lessons \$80.00 for 8 weeks Equipment Rental fees \$ 45.00 for the 8 weeks - private \$26.00/hr & semi-private \$40.00/hr lessons	- In-house Revenue \$300,000 Expenses 75,000 Profit \$225,000 - 80 certified part time seasonal instructors/coaches/snowboard - large Bd of Ed. program 3,000/week - 2,700 participants in group lessons Total Revenue \$28,790	- Private operator - current understanding includes a flat fee paid to City per registrant Children \$18.00 per registrant Adult \$24.00 per registrant Revenue to City for ski school is \$21,630 - Disabled Skiers pay a flat fee of \$1,000 - Racing Club includes a flat fee of \$80.00 per registrant Revenue from Racing Club \$6,160 Total Revenue \$9,667
Rentals	- In-house - 50-60% return on rentals - turn over 25% of inventory through sales each season - labour costs do not exceed 30% Revenues \$250,000 Expenses 88,000 Profit \$162,000	- management agreement - private - no return to City	- In-house - available for 2,4 or 8 hrs. - rental rates junior for 2 hrs. \$7.00 to adult for 8 hours \$15.00 Revenues \$83,475 Expenses 34,889 (\$18,000 new equipment costs) Profit \$48,586	- In-house - 400 full sets/10- 15 snowboards Revenue \$200,000 Expense 50,000 Profit \$150,000 - operations includes 12 part time staff \$8,000 spent for new inventory Total Revenue \$9,667	- Private operator - current understanding is the operator pays 50% of the net profits to the City Revenue to the City \$9,667

Municipalities facility comparison - cont'd

Ski Area	Glen Eden	Vaughan - Uplands Ski Centre	Etobicoke - Centennial Park	North York - North York Ski Centre	Hamilton - Chedoke Winter Sports Park
Lift Ticket Fees	- Junior and Adult rates - 1/2 day and full day rates - \$16.00 - \$24.00 - 1/2 day junior to full day weekend adult	- established by private operator	- Time Ticket System for Public Skiing offers Unlimited Runs for time purchased - Tow tickets for 1/2/4/8 hours - Junior - 1 hr \$4.00/ 8 hrs. \$14.00 Adult - 1 hr \$5.00/8 hrs. \$17.00	- Junior and adult rates - hourly rates for 1/2/4/6/8 - junior rates \$7.00/1 hr. - \$18.00/8 hrs. - adult rates \$8.00/1 hr. - \$20.00/ 8 hrs.	- Junior and Adult Rates - full day rates only weekdays - \$10.00 junior/\$12.00 adult - 1/2 day and full day rates (weekends) - 1/2 day junior \$10.00/\$12.00 adult - full day junior \$12.00/\$15.00 adult
Season Passes	Yes - offer early bird pre season rate - adult/student/junior/family passes - \$215.00 junior - \$405.00 adult family pays per member - option for weekday pass only Senior \$90.00/Junior \$135.00 Adult \$265.00 - Passes key revenue generators	Yes	Yes - Junior \$100.00 - Adult \$135.00 - Senior (60+) \$30.00 (50 senior season passes issued)	Yes - offer early bird pre season rate - junior/stud/adult/senior passes - \$114.00 senior early bird to \$261.00 for adults - also available are passes for mid week and nights only	No - provide ski packages of 10 tickets - Children \$90.00/Adult \$100.00
Staffing	- Full time - 11 (snowmakers, mechanics, groomer) - \$18.25/hr. - Part time - 200 (lift attendants) - \$7.50/hr. - 1 full time person responsible for Marketing	responsibility of the private operator	- Full time - 9 (1 snowmaker & 1 labour/shift-3 shifts) \$17.22/hr. (3 supervisors also assigned other responsibilities) - Part time - 31 (tow operators) \$6.85/hr.	- Full time - 6 (\$16-\$17/hr) (snowmakers, lift maintenance) - Supervisor 1 (\$18.00/hr) - Part time - 120 (tow operators/ rental staff/ticket takers (\$7.00- \$9.00/hr.)	1996 August 27 - Full time staff only - 26 (\$17.00/hr.) (10 snowmakers, 1 mechanic & 12 tow operators) - 2 Supervisors - The Golf Pro/Manager provides 4 part time as ticket takers and hill monitors
Volunteers	Yes - Hill hosts receive free skiing must work 15 hr/wk.	No	No	Yes - to patrol hills/receive complimentary lift ticket	No
		Under the Management Agreement - profit goes to capital improvements to the facility - there are no budgeted costs to the Town of Vaughan			

g) Special Interest Programs

In addition to the lesson program two secondary programs operate within the program schedule. Chedoke Racing Club and Hamilton Association for Disabled Skiers (HADS).

- *Chedoke Racing Club* participants under the current fee structure pay a flat fee of \$80.00 per participant. It is proposed that there be no change in the administration and operating relationship but the fee to the City be increased to \$100 per participant. With this fee comes the opportunity for the registrants to ski for the evening at no additional costs. The program operates three times a week.
- *HADS* pays the City a flat fee of \$1,000 for one evening a week of skiing. It is proposed that the administration and operation along with flat fee remain the same.

Schedule F provides the proposed revenue details for the lesson and special interest programs.

h) Ski Equipment Rentals

As an alternative the current arrangement where a private operator provides the ski equipment rental. We are proposing that this component of the operation come fully under the control of City staff but not for a 2 year period. Operationally and principled with the need to minimize the net cost to the City and the timeframe of the Golf Course Business Plan, it would be in the best interest financially to maintain the operations through a private operator. Estimated capital investment (180 - 200 complete sets) to purchase the required inventory of skis, boots and poles is \$40,000. A private operator through a Request for Proposal Process is proposed. Staff are of the belief that there would be multiple bidders, thereby guaranteeing a full and competitive process.

Staff assume that the value of the contract would be proportional to the degree of freedom granted to the contracted firm relative to fees and maintenance standards. The draft budget included as Schedule F indicates that a net profit of \$20,000 is possible for 1997.

At the end of the two year period the ski rental operation and the capital investment could be assessed with the view to come fully under the control of City staff, resulting in increased revenue.

i) Development of a Comprehensive Marketing Program to increase Skier Visits

The City has not marketed the ski hill operation in a focussed and coordinated fashion. In conjunction with the new time ticket system and the learn to ski program, an aggressive ad campaign locally and as part of the Region's tourism strategy has the capability of generating an increased number of skier visits.

j) Daytime School Lesson Program

Inherent in the daytime hours is opportunity to provide a program aimed at attracting the Boards of Education. This area both in terms of daytime use and a school program has not been emphasized in the recent past. The extended hours provides an ideal opportunity to provide this program. The relationship with the local and neighbouring boards and ski hill operation provides the potential for a positive partnership in the development of a learn to ski program and experience. A complete package which includes tow ticket, rental and lesson for \$12.00 is cost effective for both the schools and provides a revenue opportunity for the City.

k) Capital Investment in Upgrading Equipment

The current equipment is old and operable but lags behind other competitors. If there is any one area to consider upgrading, it is our snowmaking equipment in order that we can make snow at moderate temperatures or near freezing temperatures.

We are proposing to review the capital investments at the completion of the two year period, with a view to develop a capital program at that time.

l) Volunteers

Our review revealed that volunteers can play a role in the operations. Monitors, hill hostesses provide the vehicle towards a positive approach in the area of customer service. A program of complimentary tow tickets are the means to enlist the support of volunteers.

m) Financial Picture resulting from a Revised Public-Private Operation

The following *Schedule (F)* restates the budget inclusive of applicable costs and new revenues generated by the new management structure. It provides a reasonable basis for analysis the with current operation, a comparable municipal operation and lastly a budget inclusive of applicable indirect costs and Corporate overhead. In this way all costs are reported, thereby providing a reasonable basis for analysis with private sector operations.

In conclusion a revised public-private operated facility over time provides the foremost opportunity to continue the operation, improve the delivery of program and over time achieve a cost effective operation with minimum cost the the City.

#4 Closure of the Ski Hill Operations

In the event that City is not willing to go forth with any of the above options, the operation should be closed. Given the terms and conditions of the staffing, the potential savings from the closure of the ski hill would have to be partially offset due to our requirement which brings seasonal staff over from Public Works, Parks Division. These staff would have to be reassigned and salary base transferred, this would result in a savings for operating expenses of approximately 42% only, as salary and wages represent an estimated 58% of the budget. Further savings could be achieved through the layoff of staff for what would be the ski hill season, this would represent a full savings. The only associated costs required would be for the utilities and maintenance of the clubhouse during this downtime. These costs would be nominal. The private concessionaire and the Golf Pro/Manager's present contracts would need to be readdressed to reflect this closure.

Finally, savings within the capital budget could be achieved should closure occur. Some capital could be reclaimed by the sales of owned capital equipment.

The following schedule estimates the cost benefit of a full closure of the operation. The indirect and corporate overhead costs in the amount of \$116, 564 would be reassigned across other services within the Culture and Recreation Department,

	Based on 1996 Budget Estimates	Based on 1996 Budget Estimates - Base Salary for Staff Transferred
Operating Savings	\$184,430	\$184,430
Salary and Wage Savings	\$255,740	
<i>Total Operating Savings</i>	<i>\$440,170</i>	<i>\$184,430</i>
Loss of Revenue	81,430	81,430
Capital Savings	\$341,000	\$341,000
	<u>\$862,600</u>	<u>\$606,860</u>
Revenue from sale of capital equipment	\$50,000	\$50,000
<i>Total Net Savings</i>	<u><i>\$912,600</i></u>	<u><i>\$656,860</i></u>

Conclusion

The term of Ski Hill operation should correspond with the Municipal Golf Business Plan timeframes. To be consistent with the wishes of the Committee to have all related contracts terminate at the same time, it is recommended that Option #3 A Revised Public-Private Operation be implemented. As the completion of the Golf Contracts (two years), Committee will have the opportunity to evaluate and select its preferred longer term operations strategy for the Ski Hill operation.

Schedule F

Comparison of a Draft Budget against the current approach and similar municipal operations

	Proposed City Operated	Current Operational Approach	North York Ski Centre	Etobicoke Centennial Park
Season	10.5 weeks	8.6 weeks	12 weeks	12 weeks
Operational days	52 days	37 days	84 days	84 days
Hours of Operation per week	50 hours	35 hours	81 hours	77 hours
Manpower	Full Time - 10 Part Time - 50 (tow operators)	Full Time - 22	Full Time - 12 Part Time - 200 (tow operators/lesson instructors)	Full Time - 21 Part Time - 150
Concession Operations	Private Operator	Private Operator	Private Operator - (plan to bring back in-house)	In-house
Lessons	In-house	Private Operator	In-house	In-house
Rentals	In-house	Private Operator	In-house	In-house
School Program	yes	no	yes	yes
Financial Picture				
Expenses: Salary & Wages	\$192,124	\$243,936	\$532,086	\$305,300
Operating Expenses	\$184,430	\$184,430	\$232,093	\$93,700
Golf Pro/Manager	11,800	11,804		
Total Gross Cost	<u>\$388,354</u>	<u>\$440,170</u>	<u>\$764,179</u>	<u>\$399,000</u>
Revenues: Tow Tickets/ Season Passes	\$80,000	\$37,910		\$98,924
Lessons & Special Interest Programs (revenue over cost)	In-house \$70,207	Private Operator \$28,830		In-house \$218,149
Rentals	Private Operator (2 yrs) \$20,000	Private Operator \$9,667		In-house \$97,650
School Program (revenue over cost)	In-house \$13,830			Yes - included with Lesson Program Revenue
Concessions	Private Operator \$8,000	Private Operator \$8,000		In-house \$40,000
Total Revenues	<u>\$192,037</u> 49.4%	<u>\$84,407</u> 19.2%	- <u>\$700,000</u> 91.6%	<u>\$425,089</u>
Net Cost	<u>\$196,317</u> 50.6%	<u>\$355,763</u> 80.8%	<u>\$64,179</u> 8.4%	Profit of <u>\$26,089</u>
Applicable indirect costs and Corporate Overheads costs	\$116,564	\$116,564		

Schedule G

Schedule G identifies the draft budget costs and participation breakdowns of Option #3. The following includes: cost per hour to operate, cost per participant to the City, hourly cost of the operation and the rate of subsidy to the City.

	1997
Total # of Skier Visits	17,000
# of operational days	52 days
# hours of operation	525
# of Skier Visits per day	327
Average number of participants per hour	32
Total Operating Cost	\$388,354
Total Revenue	\$192,037
Net Operating Cost	<u>\$196,317</u>
Net Cost per Hour	\$373.94
Gross Cost per Participant	\$22.84
Avg. Skier Visits per Hour (Revenue)	\$11.36
Per Hour Cost being Subsidized	\$11.48
Rate of Subsidy	50.6%

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1996 and respectfully recommends:

1. That the Chief Administrative Officer and Senior Management Team bring in or resurrect a budget package to address the naturalization program (which was implemented in 1992 and 1996) for the 1997 budget deliberations.

Respectfully, Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Tina Agnello, Acting Secretary

1996 August 27

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to amended Zoning Application 95-01, Chambers Group, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Blocks "1" and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District - modified for Blocks "2" & "3", for lands located at the rear of 1170 - 1180 Upper James Street, shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Blocks "1" & "3" until such time as a Plan of Subdivision has been submitted and approved by the Region of Hamilton- Wentworth and the holding provision will prohibit the development of Block "2" until such time as a Plan of Subdivision has been submitted and approved by the Region of Hamilton-Wentworth and a landscape plan has been submitted and approved by the Director of Planning and Development Department.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law, by enactment of an amending By-law once these conditions are fulfilled; and
 - (ii) That Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,
 - (iii) That Blocks "2" & "3" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,
 - (iv) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Blocks "2" and "3", be modified to include the following variances as special provisions:

- (1) That notwithstanding Section 9.(3)(ii), a side yard of a width of not less than 2.4 m shall be provided and maintained along the entire southerly lot line of Block "2"; and,
 - (2) That a landscape area not less than 2.4 m in width shall be provided and maintained along the entire southerly boundary of Block "2", where the lot adjoins a commercial district; and,
 - (3) That notwithstanding Section 9. of Zoning By-law No. 6593, only a 4.52 m planting strip, shall be permitted on Block "3"; and,
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1366, and the subject lands on Zoning District Map W-9B be notated S-1366; and,
 - (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9B for presentation to City Council; and,
 - (vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (viii) That the approved Kernighan Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Single and Double Residential" upon finalization of the implementing By-law.
- (b) That Site Plan Control By-Law No. 79-275 as amended by By-Law No. 87-223 be amended by adding Block "3" of the subject lands to Schedule "A".
2. (a) That approval be given to amended Zoning Application 96-08, 712169 Ontario Ltd. (G. Malatesta), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District, modified, to permit development for a maximum of seven townhouse dwelling units, for lands located at No. 1232 Upper Gage Avenue, as shown on the attached map marked as Appendix "B", on the following basis:

- (i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District; and,
- (ii) That the "RT-20" (Townhouse - Maisonette) District regulations as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10E.(7)(a)(i) not more than 7 single-family dwelling units shall be permitted; and,
 - (2) That notwithstanding Section 18A(14g), the required parking area may be located in a required front yard; and,
 - (3) That notwithstanding Section 18A(25), the access driveway shall be located not less than 1.5 m from the southerly side lot line, and not less than 1.5 m from the westerly rear lot line, for a distance not to exceed 3.0 m; and,
 - (4) A visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the entire westerly rear lot line; and,
 - (5) Provided the adjacent lands abutting the southerly side lot line are utilized for single-family residential purposes, a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the entire southerly side lot line.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No 6593 as Schedule S-1365, and that the subject lands on Zoning District Map E-38B be notated S-1365; and,
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38B for presentation to City Council; and,
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

- (b) That the approved Randall Neighbourhood Plan be amended to redesignate the rear portion of the subject lands from "Single & Double" to "Attached Housing".

Recorded vote on section 2.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -14.

NAYS: Acting Mayor Merling, Aldermen Anderson. -2. **CARRIED.**

- 3. That approval be given to Zoning Application ZAC-95-04, Mike & Gus Holdings Ltd., owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit the use of the subject land for single family dwellings, for property located west of West Fifth Street, south of the proposed Mountain Freeway and north of Chester Street, as shown on the attached map marked as Appendix "C", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District; and,
 - (b) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Plan of Subdivision has been submitted and approved by the Region of Hamilton-Wentworth.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled; and,
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1367, and that the subject lands on Zoning District Map W-9B be notated S-1367; and,
 - (d) That the Director of the Planning and Development Department be directed to prepare a By-law in a form satisfactory to the City Solicitor to amend Zoning By-law No. 6593 and Zoning District Map W-9B for presentation to City Council; and,

- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
4. A. (a) That Subdivision Application SAC-95-02, Ontario Realty Corporation, requesting approval of a draft plan of subdivision, on lands located on the northside of Stone Church Road West, east of Garth Street at the easterly limits of Brigadoon Drive, comprising of 22 lots for single detached dwellings, 35 lots for small lot single detached dwellings, 4 blocks for future development with adjacent lands as single detached dwellings, a block for a 0.30 m reserve, a blocks for road widening purposes, and a block to be developed with adjacent lands for a school site in, under Regional File 25T-95011, as shown on the attached map marked as Appendix "D", be approved on the following basis:
- (i) That this approval apply to the plan, as revised in red, prepared by Ontario Realty Corporation and certified by B.J. Clarke, O.L.S., dated March 22, 1995, showing 22 lots for single detached dwellings (Lots 1-15 inclusive and Lots 51-57 inclusive), 35 lots for small lot single detached dwellings (Lots 16-50 inclusive), 4 blocks for future development with adjacent lands as single detached dwellings (Blocks 59-62 inclusive), a block for a 0.30 m reserve (Block 64), a block for road widening purposes (Block 58), and a block to be developed with adjacent lands for a school site (Block 63); and,
 - (ii) That the Owner acquire the necessary lands to establish Street "A" to its full width of 26.0 metres; and,
 - (iii) That the Owner dedicate 12.0 x 12.0 metre day-light triangles between the widened limits of Stone Church Road West and Street "A" to the City of Hamilton; and,
 - (iv) That the Owner establish a 2.0 x 2.0 metre day-light triangle at the intersection of Greywood Road and Lot 16; and,
 - (v) That the Owner establish a 9.0 metre radius transitional curves at each end of the 15.0 metre radius elbow on Greywood Drive in the vicinity of Lots 7 to 11; and,
 - (vi) That the Owner establish Brigadoon Drive at 20.12m from the existing westerly limits of the subdivision to the westerly limits of Street "A"; and,

- (vii) That the Owner establish Greywood Road at 20.12m from the westerly limits of the subdivision to Brigadoon Drive; and,
- (viii) That the Owner dedicate Street "A", Street "B", the extension of Brigadoon Drive and the extension of Greywood Drive to the City of Hamilton at the time of registration of the Final Plan of Subdivision; and,
- (ix) That the draft plan be revised with the daylight triangles and street radii changed to the hard metric conversions to the satisfaction of the Manager of Development, Regional Environment Department; and,
- (x) That the centreline radius of Brigadoon Drive opposite Greywood Road intersection be increased to 250m; and,
- (xi) That sufficient lands (Block 58) be dedicated to the Region by Certificate on the Final Plan of Subdivision, to establish the property line 15.24m from the centreline of the original Stone Church Road West road allowance; and,
- (xii) That the Owner establish Court "B" to a width of 20.12m; and,
- (xiii) That Street "A" be established and constructed to its full width during the first phase of development to provide arterial road access to this neighbourhood; and,
- (xiv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xv) That the frontage outside the daylight triangle for Lot 1 be a minimum of 4.5m in width (3.0 m single vehicle access with side yard setback) and that access be constructed at the northern limits of the lot outside the Region's daylight triangle; and,
- (xvi) That Blocks 59, 60, 61, 62 and 63 on the red-line revised plan, must be developed in conjunction with adjacent lands; and,
- (xvii) That the owner agree, in writing, not to apply for building permits for Blocks 59, 60, 61, and 62 until such time as the adjoining lands are merged in title to complete the ultimate configuration of these future lots; and,

- (xviii) That Block 63 be merged in title with the adjoining property; and,
- (xix) That the streets be named to the satisfaction of the City of Hamilton; and,
- (xx) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (xxi) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (xxii) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (xxiii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (xxiv) That the Owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (xxv) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton; and,
- (xxvi) That the Owner enter into Subdivision Agreements with the City and Region prior to development of any portion of these lands; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-95011), Ontario Realty Corporation, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision; and,

- (d) That the approved Gourley Neighbourhood Plan be amended to add the public highway shown as Court "B" and that Lots "35" to "57" inclusive, on the draft plan of subdivision be redesignated from "Attached Housing" to "Single & Double" upon Draft Plan Approval of the Plan of Subdivision.
- B. That amended Zoning Application ZAC-95-12, Ontario Realty Corporation, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and "R-4" (Small Lot Single - Family Dwelling) District, (Block "2"), for lands located on the northside of Stone Church Road West, east of Garth Street at the easterly limits of Brigadoon Drive, as shown on the attached map marked Appendix "E", be approved for the following basis:
 - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single - Family Dwelling) District; and,
 - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1368, and that the subject lands on Zoning District Map W-17C be notated S-1368; and,
 - (d) That the Director of the Planning and Development Department be directed to prepare a By-law in a form satisfactory to the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17C for presentation to City Council; and,
 - (e) The application complies with the City of Hamilton Official Plan.
- 5. (a) That approval be given to application SAC-95-06 (Regional File No. 25T-95007), Demetre Dekaneas, owner, to establish a draft plan of subdivision "Westview Estates", on lands located north of Rymal Road between Garth Street and West 5th Street in the Sheldon Neighbourhood, to be developed in two phases, subject to the following conditions:
 - (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and certified by J.P. Woolley, O.L.S., dated March 22, 1995, showing 21 lots for single detached dwellings, a block for future development (Block 22), 6 blocks to be developed in conjunction with adjacent lands (Blocks 24 - 29 inclusive), a block for

road widening purposes (Block 23), 2 blocks for 0.30 m reserves (Blocks 30 and 31) and to establish two public highways (Court "A" and Court "B") (see attached Appendix "F"); and,

- (ii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
- (vii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
- (viii) That the temporary road access proposed from Court "A" to Rymal Road be designed and constructed to the satisfaction of the Director of Public Works and Traffic for the City of Hamilton and the Regional Commissioner of Transportation; and,
- (ix) That the Owner establish 0.30 metre reserves at the dead-end and open side of any road allowance within the plan of subdivision and that these reserves be transferred to the City of Hamilton upon registration of the Final Plan of Subdivision; and,
- (x) That all cul-de-sacs proposed be designed with 15.0 metre radius bulbs and 9.0 metre radius transitional curves into and out of the bulb; and,

- (xi) That the Owner provide a temporary storm water management pond, until the lands to the east are developed and storm sewer outlet is available. Such pond will be located on an easement conveyed to the City of Hamilton and will be maintained by the proponent until all the houses on Lots 1 to 18 inclusive are constructed and all lots sodded. At that time, a maintenance period of one (1) year will take effect. After the one (1) year maintenance period expires, the City of Hamilton will maintain the pond for a fixed fee, paid by the proponent, and to be pre-determined prior to the execution of the subdivision agreement; and,
- (xii) That the Owner be responsible for the construction of a sidewalk on the east side of Court "A"; and,
- (xiii) That the cul-de-sac bulb on the west side of Court "A", north of Rymal Road, must be constructed with the registration of the plan; and,
- (xiv) That the lotting and street configuration for Phase 1 be included and the lands shown as Phase 2 be only shown as a block on the plan; and,
- (xv) That the Owner is required to provide the City with the cash amount for removal of the temporary road access to Rymal Road, and all restoration related to the removal of this temporary access; and,
- (xvi) That notification should be placed on title for Lots 1 to 21 inclusive and all the Blocks stating that the temporary street access of Court "A" to Rymal Road will be removed at such time as alternative street access to these lands are provided from the east to the satisfaction of the Director of Public Works and Traffic for the City of Hamilton and the Commissioner of Transportation for the Region of Hamilton-Wentworth; and,
- (xvii) That Court "A" be established as a cul-de-sac and dedicated as a public highway to the City of Hamilton on the registered plan; and,
- (xviii) That the Owner establish Court "A" and Court "B" to its full 20.0m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision; and,
- (xix) That the Owner agree in writing that Development of Block 22 cannot proceed until storm and sanitary sewers and watermain are existing at the limits of the block; and,

- (xx) That the Owner agrees to not request a building permit on each of Lots 19 to 21 inclusive, until such time as each lot is no longer required for storm water management purposes, to the satisfaction of the Commissioner of the Regional Environment Department; and,
 - (xxi) That Lot 21, Block 22 and Block 29 not be registered until such time as Block 22 has direct frontage along a public highway in accordance with the requirements of the City of Hamilton Zoning By-law No. 6593; and,
 - (xxii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
 - (xxiii) That the Owner dedicate Block 23 for road widening purposes to the Regional Municipality of Hamilton-Wentworth; and,
 - (xxiv) That Blocks 24 - 29 inclusive must be developed in conjunction with the adjacent lands; and,
 - (xxv) That the Owner enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands; and,
 - (xxvi) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-95007), Demetre Dekaneas, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the Sheldon Neighbourhood Plan be amended in accordance with the proposed draft plan of subdivision "Westview Estates" to add Court "A" and that a notification be placed on the Neighbourhood Plan advising that the temporary street access of Court "A" to Rymal Road will be removed at such time as alternative street access to these lands are provided from the east to the satisfaction of the Director of Public Works and Traffic for the City of Hamilton and the Commissioner of Transportation for the Region of Hamilton-Wentworth; and,
 - (d) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

6. (a) That Schedule "A" of Site Plan Central By-law No. 79-275 as amended by By-law No. 87-223 be amended by adding to it the subject lands regarding Site Plan Control Application DA-96-12 for a Tim Hortons Double Drive-Thru in conjunction with the existing Harvey's at 620 King Street West; and,
- (b) That the City Solicitor be directed to prepare the By-law for Council's execution.
7. A. That the City of Hamilton call upon the Provincial Government to leave in place the Rent Control Act, the Rental Housing Protection Act and the Landlord and Tenant Act.
- B. But should the Province find it necessary to change the aforementioned pieces of legislation that the Minister of Municipal Affairs and Housing be advised that:
 - (a) the City of Hamilton request that the Rent Control components of the proposed Tenant Protection Package not be enacted until such time that amendments be undertaken to ensure:
 - (i) an increase in the production of private affordable rental units; and,
 - (ii) a reduction in the amount of bureaucracy, red tape and confusion associated with the establishment of three separate rent control mechanisms (existing system, negotiated system for new tenants and no regulation for new buildings); and,
 - (iii) potential tenants are protected from discrimination during the negotiation period (eg. race, sex, income, etc.); and,
 - (b) more detailed consultation with municipal building officials across Ontario is required in regard to the proposed legislative changes on property standards and maintenance; and,
 - (c) the local municipality retain control of condominium conversions. If the Province is to proceed, the following additional requirements should be included:
 - (i) a period of not less than 2 years be given for extended tenure for existing tenants in condominium conversion proposals; and,

- (ii) a majority of the existing tenants must support the condominium conversion; and,
- (iii) the local vacancy rate be at a minimum of 2% as established by CMHC; and,
- (d) any legislative changes affecting care homes should be done with due diligence recognizing the vulnerability of the tenants in these homes and further consultation with providers, tenants and agencies; and,
- (e) that a copy of this report be forwarded to the Minister of Municipal Affairs and Housing to assist in the review of Tenant Protection Legislative changes.

- 8. That the Building Commissioner be authorized to issue a partial demolition permit for 33 Clifford Street only for the demolition of the new construction beyond the allowable building envelope in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 9. That the Building Commissioner be authorized to issue a demolition permit for 73 Holmes Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Acting Mayor Merling, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. - 14.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

- 10. That Item 3 of the Twelfth Report of the Planning and Development Committee as adopted by City Council at its meeting held 1996 July 9, be amended as follows:
 - (a) That item (a)(ix) be amended by replacing the number 3 with the number 4.
 - (b) That the By-law amending Land Drainage By-law No. 80-245 as attached hereto and marked as Appendix "G" be enacted.

11.
 - (a) That the City of Hamilton acquire the CNR land known as parcels 40708 and 40835, that abut Ferguson Avenue between Barton Street East and the CN rail line, at a total estimated cost of \$4,000 which includes fifty percent (50%) of the cost for the environmental reports on the properties, as well as one hundred percent (100%) of CNR's legal fees; and,
 - (b) That the \$4,000. cost be charged to the Central Beasley Account Number CF 5698 429102003; and,
 - (c) That the Property Department be directed to undertake the necessary steps to acquire the land.
12. That the City agree to the request of the Hamilton Harbour Commissioners to have the OMB hearing scheduled to commence November 17th, for a 2 week period, adjourned until 1997, with a date to be set satisfactory to all parties.
13. That the Building Commissioner be authorized to issue demolition permits in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended:
 - (a) 336 East Avenue North
 - (b) 338 East Avenue North
 - (c) 150 Potruff Road North
 - (d) 150 Ivon Avenue
14. That City Council deny a demolition permit for 1187 West 5th Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
REFERRED BACK.
15. That City Council deny a demolition permit for 1193 West 5th Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
REFERRED BACK.
16. That City Council enact an Appointment By-law attached hereto and marked as Appendix "H" to authorize the appointment of Inspectors pursuant to The Ontario Building Code Act.

17. (a) That the City of Hamilton comments on the recommendations of the 1995 Regional Housing Statement Update circulated by Regional Council to the City of Hamilton on June 4, 1996, attached herewith and marked Appendix "I", be endorsed; and,
- (b) That these City of Hamilton comments be forwarded to Regional Council.
18. (a) That approval be granted to application CDM-CONV-96-001 submitted by Darko Vranich, owner, for a draft plan of condominium for property located at No. 81 Charlton Avenue East to provide for a condominium comprised of a 10 storey apartment building containing 59 individual apartment condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated June 21, 1996 prepared by R. Avis Surveying Inc., O.L.S.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,
 - (iii) That prior to approval of the final plan:
 - (aa) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan; and,
 - (bb) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,
 - (cc) the applicant/owner enter into an encroachment agreement with the Region for the existing armour stone retaining wall, the existing landscaping and the steps within the Charlton Avenue East road allowance. The steps must be modified to conform to the normal requirements of the Building Code; and,

- (dd) the applicant/owner enter into an encroachment agreement with the City for the existing key operated control for the underground parking garage door located within the Catherine Street South road allowance and the landscaping located within the road allowance; and,
 - (ee) the owner modify the door to the underground parking garage on Catherine Street South since the City of Hamilton Streets By-law does not permit doors to swing out over the road allowance; and,
 - (ff) the applicant/owner provide written confirmation from the Forestry Division of the City of Hamilton Department of Public Works and Traffic that the landscaping within the Charlton Avenue East and Catherine Street South road allowances conform to their requirements for street planting, with respect to species, location and motorist visibility; and,
- (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-012); and,
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
 - (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.

19. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-law 84-252 to allow land to be developed for residential purposes where land in the amount equal to 5% of the area to be developed, or cash equivalent has not been conveyed to the City when a building permit has been issued prior to 1999 September 1 for the area bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue; and,
- (b) That the Building Commissioner and the Director of Planning and Development Department be authorized and directed to refund application fees for any official plan amendment, zoning application, site plan application, Committee of Adjustment application, building permit, demolition permit, zoning/property report and inspection fee where such fee is paid after 1996 August 27 if a building permit is issued for the property by 1999 September 1, for the area bounded by Hunter Street, Cannon Street, Queen Street, and Victoria Avenue; and, **AMENDED.**
- (c) That the Planning and Development Department be directed to undertake a City Initiative to eliminate required parking for residential development in the area defined as Area "A" on Schedule "I" of By-law 6593 and reduce to 0.5 spaces for each Class "A" dwelling unit in the Area defined as Area "B" on Schedule "I" of By-law No. 6593 attached hereto and marked as Appendix "J" for a 3 year period.
20. That a Heritage Permit be approved for the following additions and alterations to the designated building at 10 John Street South, the former Dominion Public Building now the new Hamilton Courthouse, based on the Courthouse model pictured in schematic design, Vol.1, 1993 May; drawings prepared by Norr Partnership Limited Architects Engineers (dated 1995 May, 1995 September 13, 1995 October 24, 1995 November 6, 9, 10, 13 and 20 and 1996 May 10); and, the revised drawings attached hereto and marked as Appendix "K", "L" and "M":
- (a) Exterior
- (i) Addition of upper storeys: glazed penthouse and precast concrete mechanical housing coloured to match existing limestone; and,
- (ii) New Courthouse addition on Main Street facade; and,
- (iii) Upper steel windows either replaced to match the appearance of the original (1936) windows, or insulated; and,
- (iv) Exterior first and second storey windows: replace glass with clear thermal panes and install new bronze glazing stops on interior; and,

- (v) Stone lintels: reattach where necessary by drilling and attaching new stainless steel anchorage and finish joints with matching mortar; and,
- (vi) New bronze and glass doors, on north, south and east elevations.

(b) Interior

- (i) Removal of marble wall and brass wickets in the heritage lobby beneath the world mosaic to allow for a new corridor opening linking the old and new buildings; and,
- (ii) Materials recovered from the new corridor opening will be reinstalled to close off the existing former Philatelic Centre opening, The new opening will be framed with bronze recovered from the "Philatelic Centre" opening; and,
- (iii) The existing opening between the heritage lobby and the proposed waiting room (former location of post office boxes) will be screened by a glass partition incorporating a bronze grille frieze.

21. That the firm of Weir and Foulds be retained to represent all the defendants in the action brought by Mark Cole in the Statement of Claim, Court File No. 96-CU-108847, subject to a review of any potential conflict that may arise and subject to comments by the excess insurers.

22. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

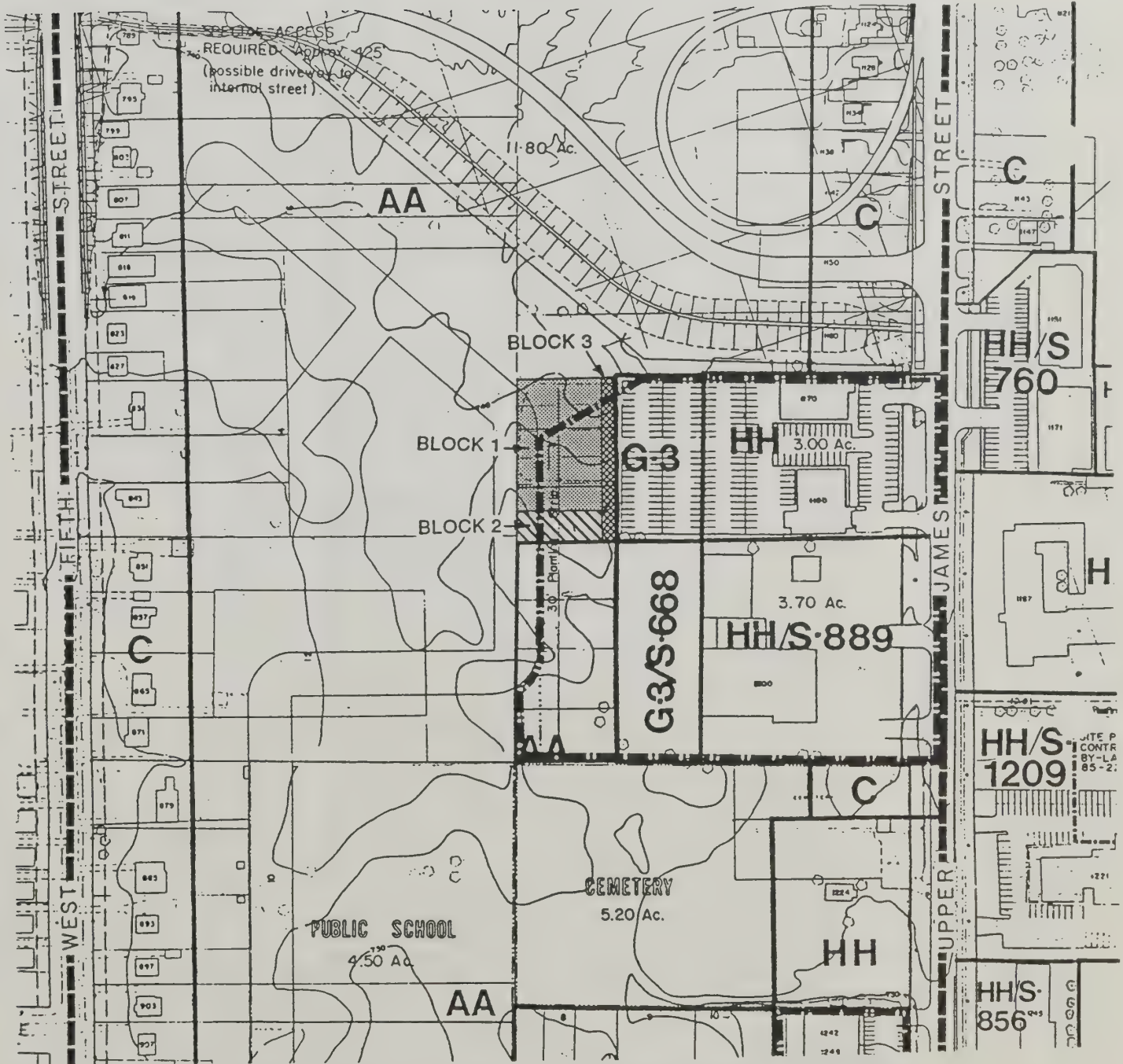
- (a) C-40 By-law to Amend By-law No. 95-167 to Regulate the Proceedings of the Municipal Council and Committees of the City of Hamilton.
- (b) C-41 By-law to Amend Zoning By-law No. 6593 Respecting Residential Development Requirements in the "I" (Central Business District, etc.) District.
- (c) C-42 By-law to Amend By-law No. 80-245 Respecting Land Drainage.
- (d) C-43 By-law to Consolidate By-law No. 92-094, and Amendments Thereto Respecting the Appointment of Inspectors.

- (e) C-44 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at
Municipal No. 18 Homewood Avenue.

Respectfully submitted,

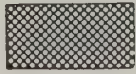
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 August 21**

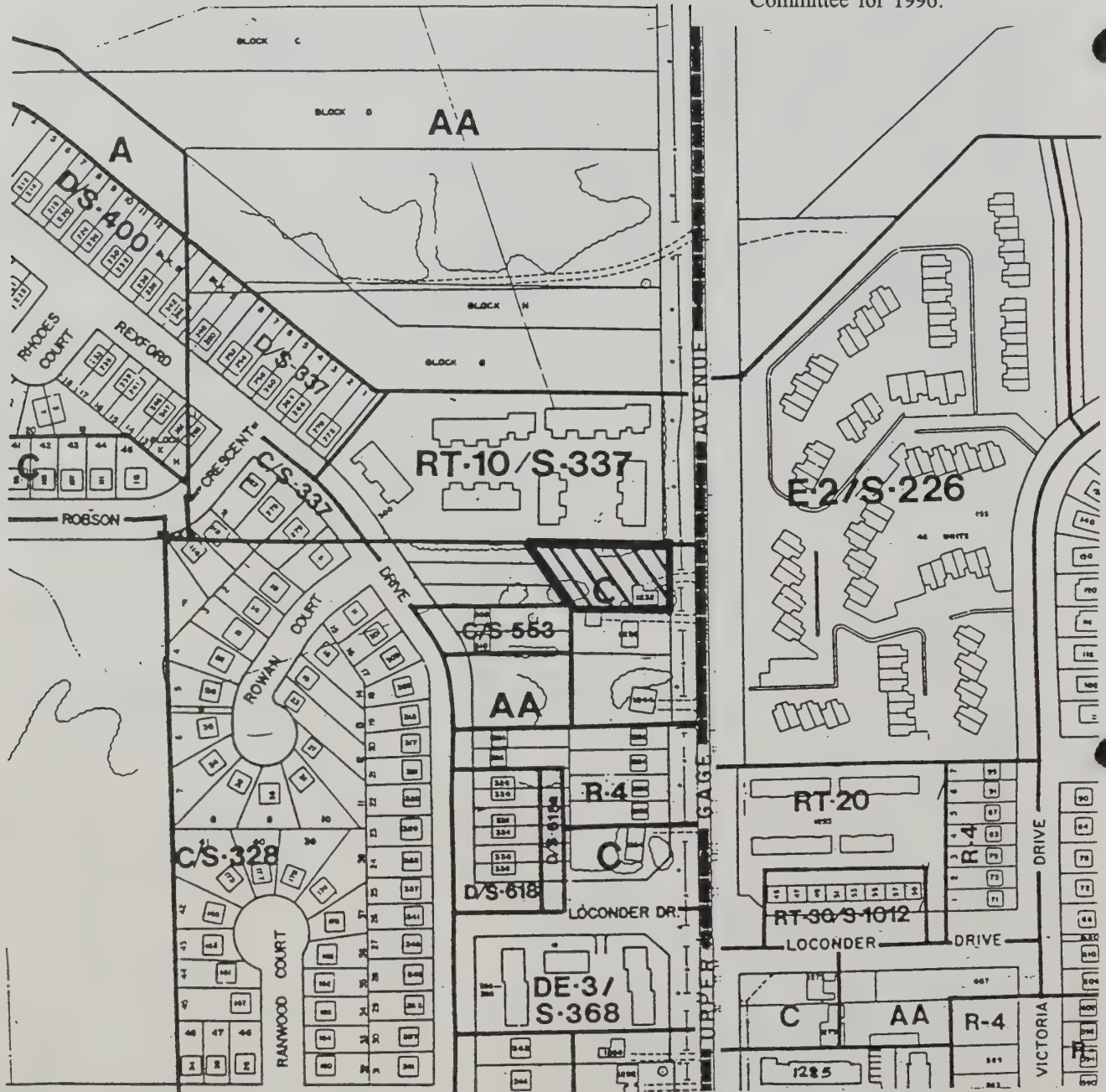


Legend

Proposed change in zoning from:

- | | | |
|---------|---|---|
| BLOCK 1 |  | "AA" (Agricultural) District, to "C"-'H'
(Urban Protected Residential, etc. - Holding) District. |
| BLOCK 2 |  | "AA" (Agricultural) District, to "C"-'H'
(Urban Protected Residential, etc. - Holding) District, Modified. |
| BLOCK 3 |  | "AA" (Agricultural) District, to "C"-'H'
(Urban Protected Residential, etc. - Holding) District, Modified. |


ZAC-95-01



Legend

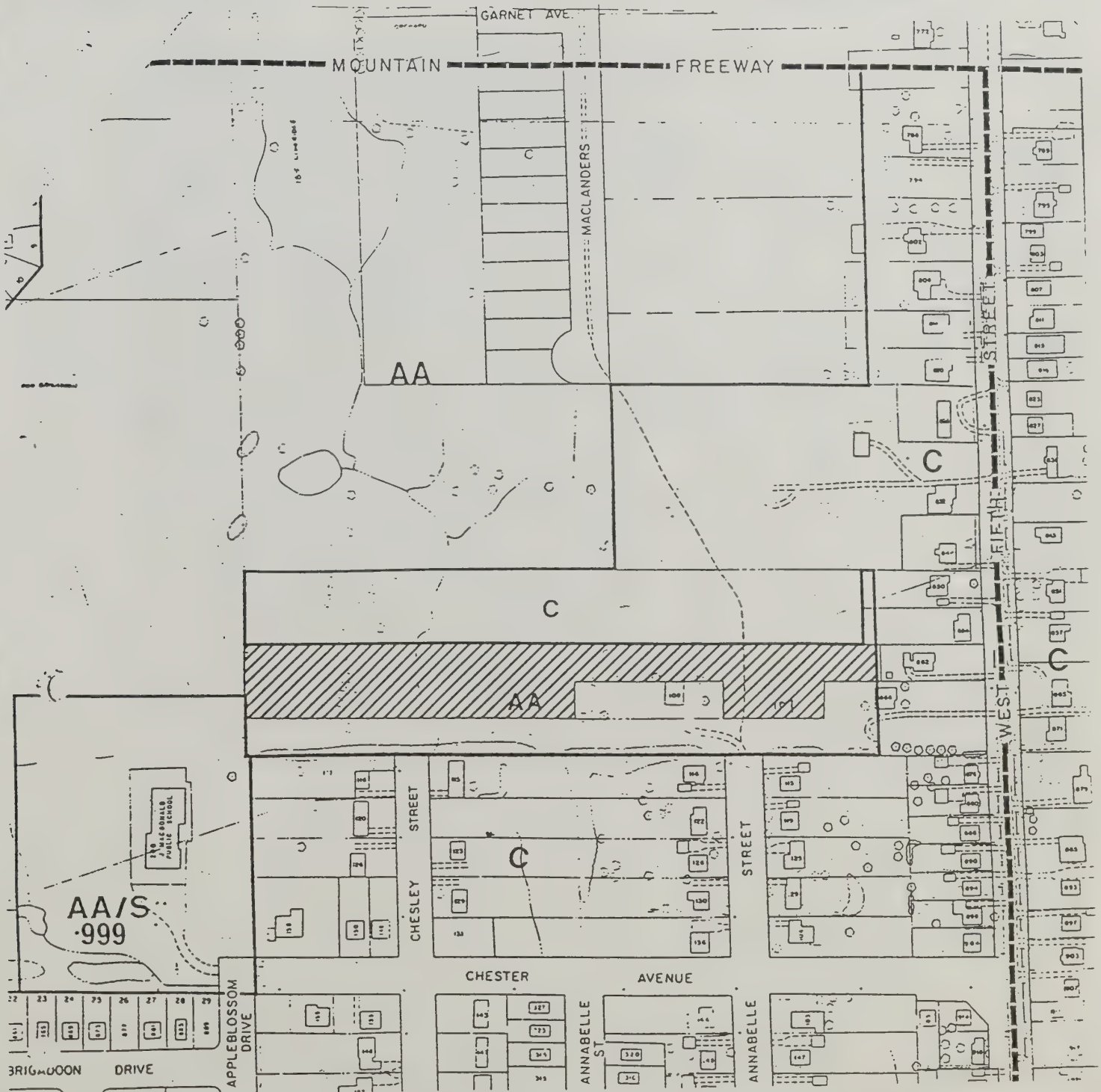


Site of the Application



1996 August 27

Appendix "C" referred
to in Section 3 of the
THIRTEENTH Report of the
Planning and Development
Committee for 1996



Legend



Site of the Application


ZAC-95-04

[illegible]

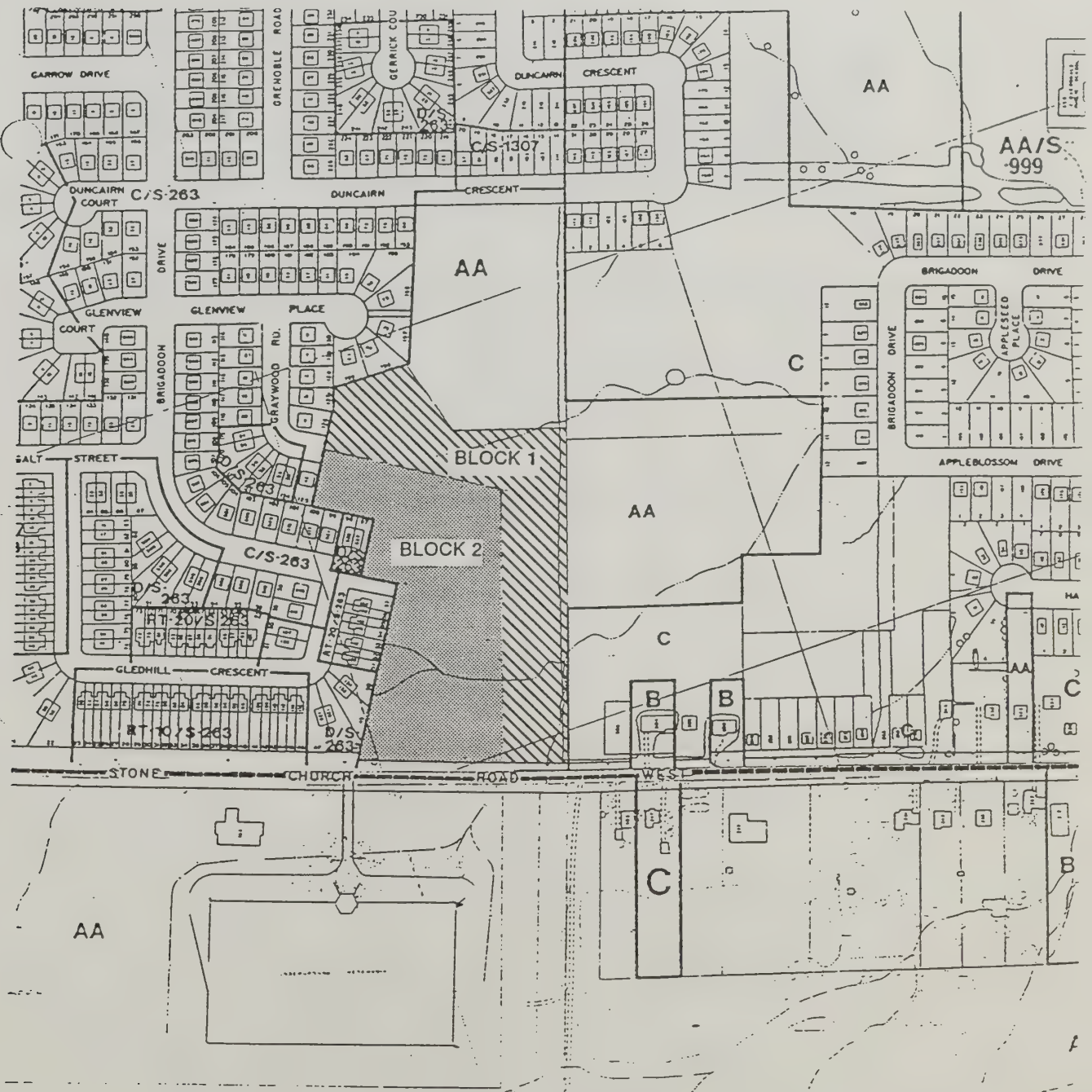
SURETORS CERTIFICATE

I HEREBY CERTIFY THAT THE SURETIES
ON BE LUNG TO BE SURETORS AS SHOWN
ON THIS PLAN AND THEIR RELATIONS TO
BE MENTIONED LUNG ARE SHOWN
ACCORDINGLY AND CORRECTLY

-- J. E. L. -- J. E. L. --
AT -- W. E. L. --

Ontario Realty Corporation
REAL ESTATE SERVICES DIVISION
Ontario
For Sale By The Agent
Excluding GST and HST

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Legend

Proposed changes in zoning:

- | | | |
|---------|---|--|
| BLOCK 1 |  | From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District. |
| BLOCK 2 |  | From "AA" (Agricultural) District to "R-4" (Small Lot Single Family), District. |





The Corporation of the City of Hamilton

By-law No. 96-

To Amend By-law No. 80-245

Respecting:

LAND DRAINAGE

WHEREAS By-law No. 80-245 was enacted by the Council of The Corporation of the City of Hamilton on September 9, 1980, respecting land drainage;

AND WHEREAS Section 6 of By-law No. 80-245 was amended by By-laws No. 88-09, No. 88-207 and No. 93-123;

AND WHEREAS Council, on July 9, 1996, in adopting Section 3 of the 11th Report of the Planning and Development Committee authorized a further amendment to By-law No. 80-245;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

By-law No. 80-245, as amended, is amended by the addition of the following section:

- "6.A. (1) Despite Section 6, roof leaders may be discharged onto the ground surface where:
- (i) a site design, including a Storm Water Management Study, acceptable to the City Engineer is prepared by a Professional Engineer, and
 - (ii) the site design is approved by the City after June 25, 1996.
- (2) Where the City approves of a Storm Water Management Study for a development which indicates roof leaders may be discharged onto the ground surface, the recommendations in the study must be implemented by the owner of the land.
- (3) Where the roof leaders are not required to be connected to the storm sewer, the roof leaders shall discharge onto splash pads and then onto grassed or landscaped areas at least 0.6 metres from the building face.
- (4) The roof leaders shall not discharge directly onto a sidewalk or a driveway.
- (5) Where the roof leaders of a lot are not connected to storm sewer, the lot shall be sodded prior to the issuance of a lot grading certificate by the City.
- (6) Subject to the Land Titles Act and the Registry Act, the lot grading plan shall be registered on title to the land being developed.

Bill

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Consolidate

By-law No. 92-094, and amendments thereto

Respecting

THE APPOINTMENT OF INSPECTORS

WHEREAS Ontario Regulation 413/90 was made on 1990 July 27 and filed on 1990 July 30 in accordance with section 19 of the Building Code Act, established the building code for Ontario;

AND WHEREAS subsection 1 of section 3 of Building Code Act provides that the council of each municipality is responsible for the enforcement of the Act in the municipality;

AND WHEREAS subsection 2 of section 3 of Building Code Act provides that each municipality shall appoint a chief building official and such inspectors as are necessary for the purpose of the enforcement of the Act:

AND WHEREAS By-Law No. 78-211, passed on the 1978 July 25 and By-Law 81-224 passed on 1981 July 28, and By-Law 87-312, passed on 1987 November 10 and By-law 91-047 passed on 1991 March 12, and By-Law 92-094 passed on 1992 March 31, consolidated previous by-laws into one by-law in view of the changes in inspection staff and appointments:

AND WHEREAS it is desirable to further consolidate into one by-law all changes in inspection staff and appointments since By-Laws 78-211, 81-224, 87-312, 91-047 and 92-094 were enacted.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The following person is appointed chief building official:
Leonard C. King, P. Eng.
- (b) The title of the chief building official shall be as follows:
Building Commissioner.
2. (a) The following person is appointed an Inspector:
Peter C. Lampman, P. Eng.
- (b) The title of the Inspector appointed under clause (a) shall be as follows:
Deputy Building Commissioner and
Director of Technical Services.
3. The person appointed Inspector under clause (a) of Section 2 is hereby appointed chief building official during the absence for any reason of the person appointed chief building official under section 1.

4. (a) The following person is appointed an Inspector:
- Wah-Keun Wong, P. Eng.
- (b) The title of the Inspector appointed under clause (a) shall be as follows:
- Manager of Customer Services
5. (a) The following persons are each appointed an Inspector:
- Larry W. Harvey
- Donald J. Inglis
- John A. Spolnik
- (b) The title of each of the Inspectors appointed under clause (a) shall be as follows:
- Supervisor of Field Services.
6. The following persons are each appointed an Inspector:
- | | |
|----------------------|------------------|
| Brian Baxter | Joyanne Beckett |
| Sylvia Bishop | Sara Bradley |
| George Caetano | Alison Churchill |
| Doug Clark | Gary Daly |
| Jack Dorr | Ron Doucet |
| Nancy Rajher-Drapeau | William Dupont |
| Ken Edgar | Debbie Eydt |
| Frank Genovese | Peter Gobbo |
| Natalie Gould | Christine Hey |
| John Ivezić | Jan Janosik |
| Zoran Kristo | Steve Kuczerepa |
| Rick Kuipers | John Lane |
| Wing Lee | Marianne Lyon |
| Morris Marsalla | Erin McClintock |
| Glen McCrory | Monica Melnick |
| Bryan Moon | Michelle Oproiu |
| Susan Parker | Gene Penko |
| Frank Peter | Tom Redmond |
| George Robis | Michael Shepherd |
| Gail Stevenson | Douglas Tam |
| Steve Teal | John Thomas |
| Sandra Tucker | Michael Verboom |
| George Wong | |
7. By-Law No. 92-094 is hereby repealed.

PASSED this

day of

, 1996.

CITY CLERK

MAYOR

COMMENTS ON THE RECOMMENDATIONS OF
THE 1995 REGIONAL HOUSING STATEMENT UPDATE

Section A: Planning for Growth

- a) *That the Region investigate the use of full cost accounting with regard to the setting of residential development charges to promote compact urban development and to ensure that urban sprawl is not being subsidized;*

A number of research studies prepared for the Golden Commission examining the future of the Greater Toronto Area noted that the "cost" of new suburban development is not fully realized in development charges levied by municipalities. The use of "full cost accounting" would ensure that the complete costs associated with new suburban development are reflected in the actual development charge and are not born by the existing taxpayers within a community - in essence "user pay". Although it is clearly premature to comment on the appropriateness of this method of calculating development charges in the City of Hamilton, the recommendation of the RHSU is to "investigate" this method. At such time the research is complete, the City will be in better position to ascertain the implications of this concept. Accordingly, the recommendation can be supported.

- b) *That the Region be actively involved with the evaluation, and where appropriate the introduction, of alternative development standards (servicing requirements, road and right-of-way requirements, etc.) that could contribute to a more compact urban form and reduce municipal and housing costs;*

This recommendation can be supported. Many of the technical standards for new development that are presently in place should be reviewed to ascertain any possible inefficiencies that would reduce the cost of new development to both the City and the eventual home purchaser.

- c) *That the Region continue to monitor intraprovincial-migration patterns to ascertain the ongoing impact of population and employment growth in the GTA on Hamilton-Wentworth's housing markets, and to evaluate the impact of out-migration to Halldimand-Norfolk, Niagara, and Brant;*

This recommendation can be supported. Market knowledge of migration patterns is essential to determine potential demand for housing in future years.

- d) *That a housing target of 55% single and semi detached, 28% row, and 17% apartment units be adopted as a guideline for medium and long-range planning in the Region;*

Recent housing market activity in the City of Hamilton is generally consistent with the targets suggested by the Region. Over the six-year period 1990-1995, single and semi-detached housing units accounted for 47.2 percent of all dwelling units completed in the City of Hamilton. Row units accounted for 30.5 percent and apartment units accounted for 21.7 percent of all units completed.

However, this housing target fails to acknowledge the existing dwelling mix already in place within the area municipalities. Specifically, the City of Hamilton has shouldered the bulk of higher density housing constructed in Hamilton-Wentworth for the past several decades and Regional suggestions that this role continue is unacceptable. Accordingly, this recommendation should be deleted or, alternatively, that the City of Hamilton be excluded from its application.

- e) *That the Area Municipalities be encouraged to support the need for a variety and mix of housing in the Region by targeting not less than 40% of units in new construction as medium and high density (the mix of medium and high density is not prescribed);*

As of May, 1995, there were approximately 506.4 hectares of land available for residential development within the City of Hamilton, which would yield approximately 14,100 dwelling units. Of these 14,100 dwelling units, almost one-half (48.6 percent or 6,858 units) were designated for row and/or apartment uses. The City of Hamilton cannot dictate to the private marketplace the type of new housing units that "should" be built within the community. The important point is that within the City of Hamilton, an opportunity has been provided to the private marketplace to construct medium and high density dwelling forms. Moreover, the existing dwelling mix within the particular area municipality must be considered. This recommendation should be deleted or, alternatively, that the City of Hamilton be excluded from its application.

- f) *That the Area Municipalities be requested to require that new residential development (secondary/subdivision plans) have densities of at least 18 units per hectare (gross);*

As noted previously, the City of Hamilton cannot dictate to the marketplace the type of new housing units that "should" be built within the community. We recognize, of course, that having higher gross residential densities in new development is desirable but by "requiring" that all new residential development have a minimum density of 18 units per hectare, as the recommendation notes, is inflexible, unrealistic and unworkable. This recommendation should be deleted or, alternatively, that the City of Hamilton be excluded from its application.

- g) *That the Area Municipalities be requested to develop and carry out policies to implement Provincial and Regional policies regarding increased densities of new residential development, increased opportunities for intensification and infill, and opportunities for the development of affordable housing;*

Within the Region of Hamilton-Wentworth, the City of Hamilton has been second to none in terms of facilitating residential intensification opportunities and promoting lower cost "affordable" housing. In the late 1980's and early 1990's, the City undertook several detailed housing studies in response to Provincial policy initiatives which resulted in extensive changes to the Hamilton Official Plan and the Hamilton Zoning By-law.

It should be noted that the Provincial policies alluded to in the recommendation (The Comprehensive Set of Policy Statements) have since been repealed by the Provincial Government. Accordingly, this recommendation is redundant and should be deleted in light of policy changes made by the Provincial Government and the City's previous extensive work on this matter.

- h) That the City of Stoney Creek be requested to prepare an additional study prior to the year 2000 Regional Official Plan review that examines the availability of vacant residential land in the designated, pending, draft approved and registered categories, as well as the status of residentially-designated lands in the Heritage Green planning area and lands zoned for high-density uses north of the QEW.*

This recommendation is not applicable to the City of Hamilton.

Section B: Providing Housing for People with Low Incomes and Special Needs

- i) That the Region and Area Municipalities be requested to make significant efforts to convince the Province, the District Health Council, and other relevant organizations to initiate and sustain a planning process of their own that will co-ordinate the allocation of resources to the housing and housing-related health care and support services in Hamilton-Wentworth;*

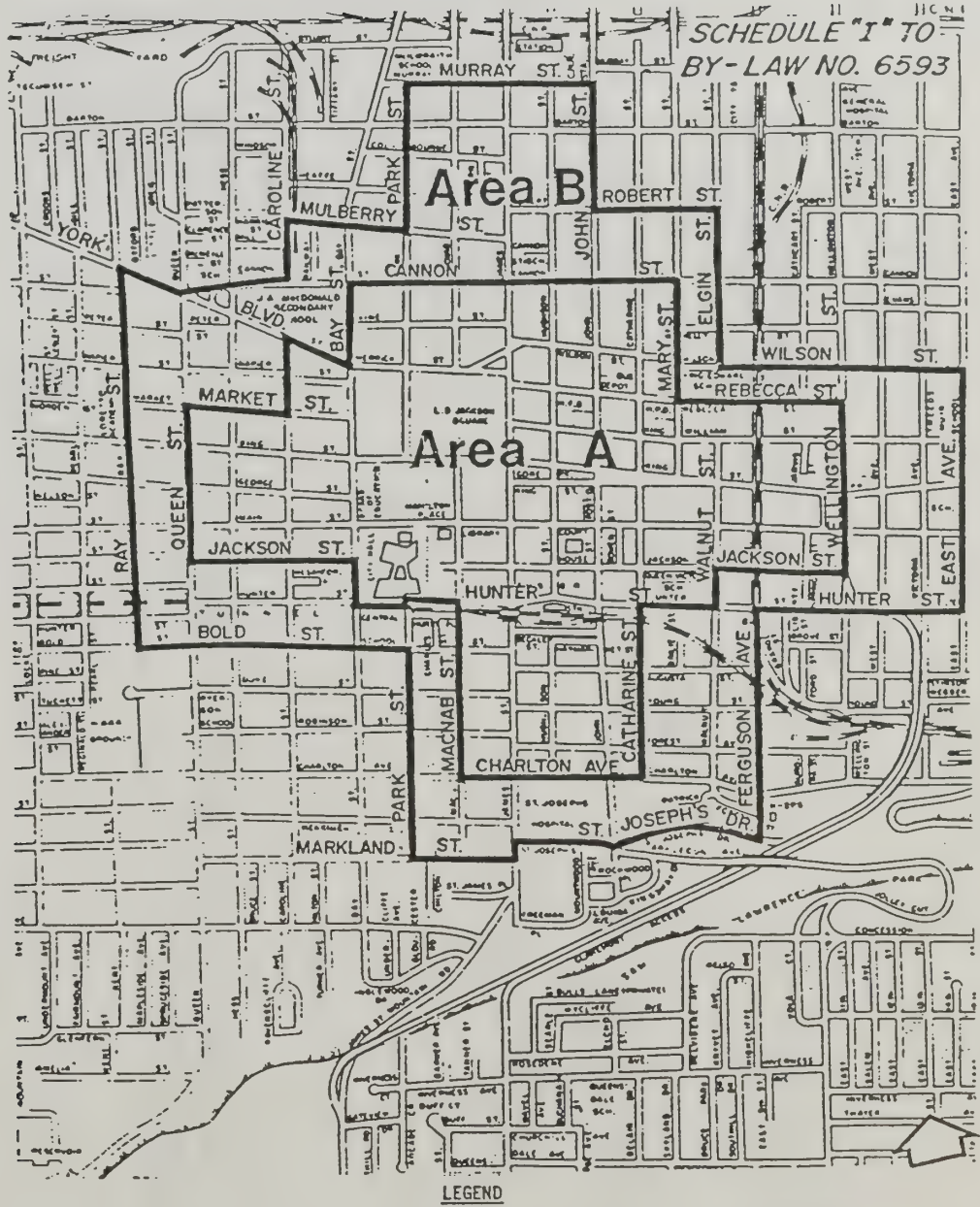
This recommendation can be supported. Ensuring greater co-ordination among the various stakeholders will ensure cost effectiveness and greater resolve to address the housing and support needs of individuals and families in Hamilton-Wentworth.

- j) That the Area Municipalities be requested to co-operate to develop a strategy for developing a pool of expertise that can be used in initiating and co-ordinating community-based efforts to build or renovate housing for people with very low incomes or special needs. This resource could be developed in existing organizations such as the municipal non-profits or assembled from scratch in a new entity. The Area Municipalities should also consider entering into a partnership with other communities around the Golden Horseshoe to maintain a combined innovative housing non-profit resource group that could be financed in a cost-effective manner;*

This recommendation can be supported. With recent cut-backs by both the Federal and Provincial Government to social housing funding, imaginative and creative local responses will be the hallmark of new not-for-profit housing initiatives in Hamilton-Wentworth. The City's Municipal Non-Profit Housing Corporation has shown leadership in this area and should be considered as a credible vehicle for implementing this recommendation.

- k) *That the Area Municipalities be requested to undertake a review of their existing zoning by-laws and identify and eliminate any restrictions on the development of supportive housing environments that are not justified by bona-fide planning considerations and significant public health or safety concerns (supportive housing can be defined as housing environments that allow people to live as independently as possible while still receiving certain types of health care, personal, or home-making services).*

Although City staff resources are limited, the objective of reviewing the Hamilton Zoning By-law to identify possible restrictions and impediments for supportive housing environments is a laudable. Other area municipalities within Hamilton-Wentworth should be made aware of the flexibility of Hamilton's Zoning By-law in terms of as-of-right provisions for supportive housing initiatives. This recommendation can be supported.



— Delineates boundary of those areas in which parking for Commercial, Public and Institutional uses are reduced or not required

Bill No. D-33

This is Schedule "A1" to By-law No. 63-66 passed the 22nd day of February, 1983.

THE CORPORATION OF THE CITY OF HAMILTON

E.A. Lupton
City Clerk

W. Monahan
Mayor

1996 August 27

Appendix "K" referred
to in Section 20 of the
THIRTEENTH Report of the
Planning and Development
Committee for 1996

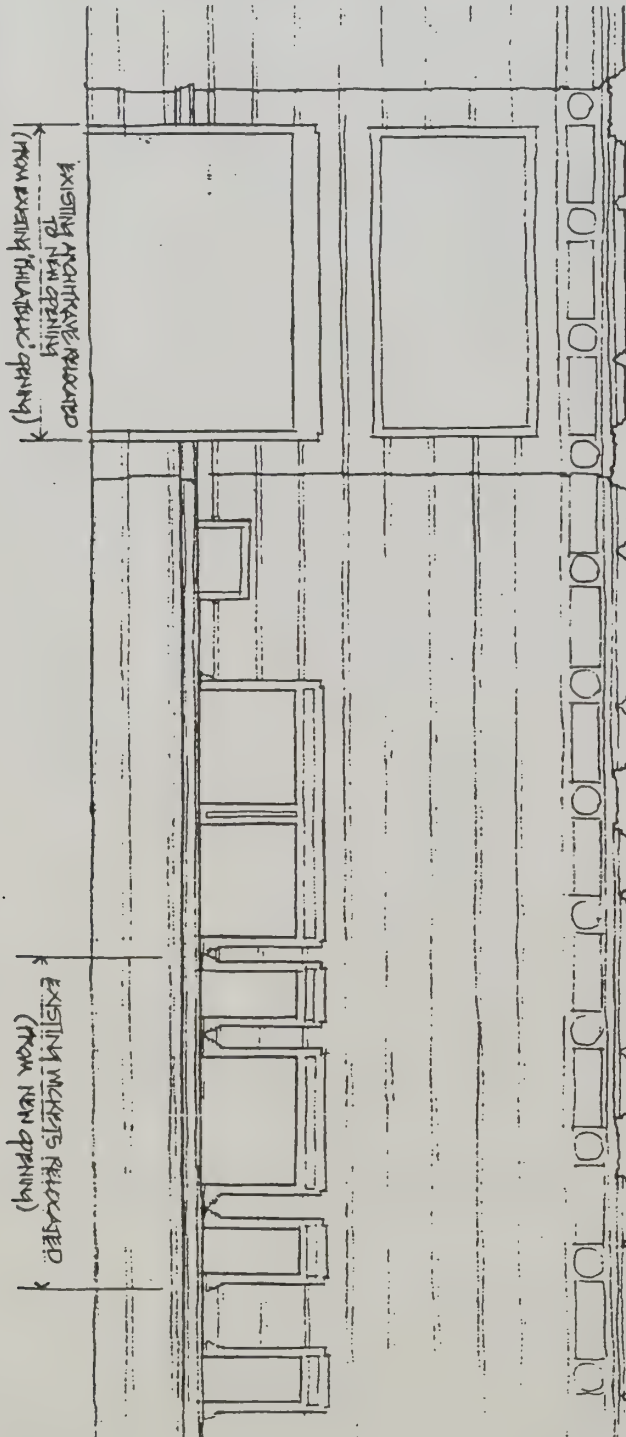
NORR

NORR Architecture Limited
Architects Engineers
350 Glen Street East
Toronto, Canada
M4M 1B6

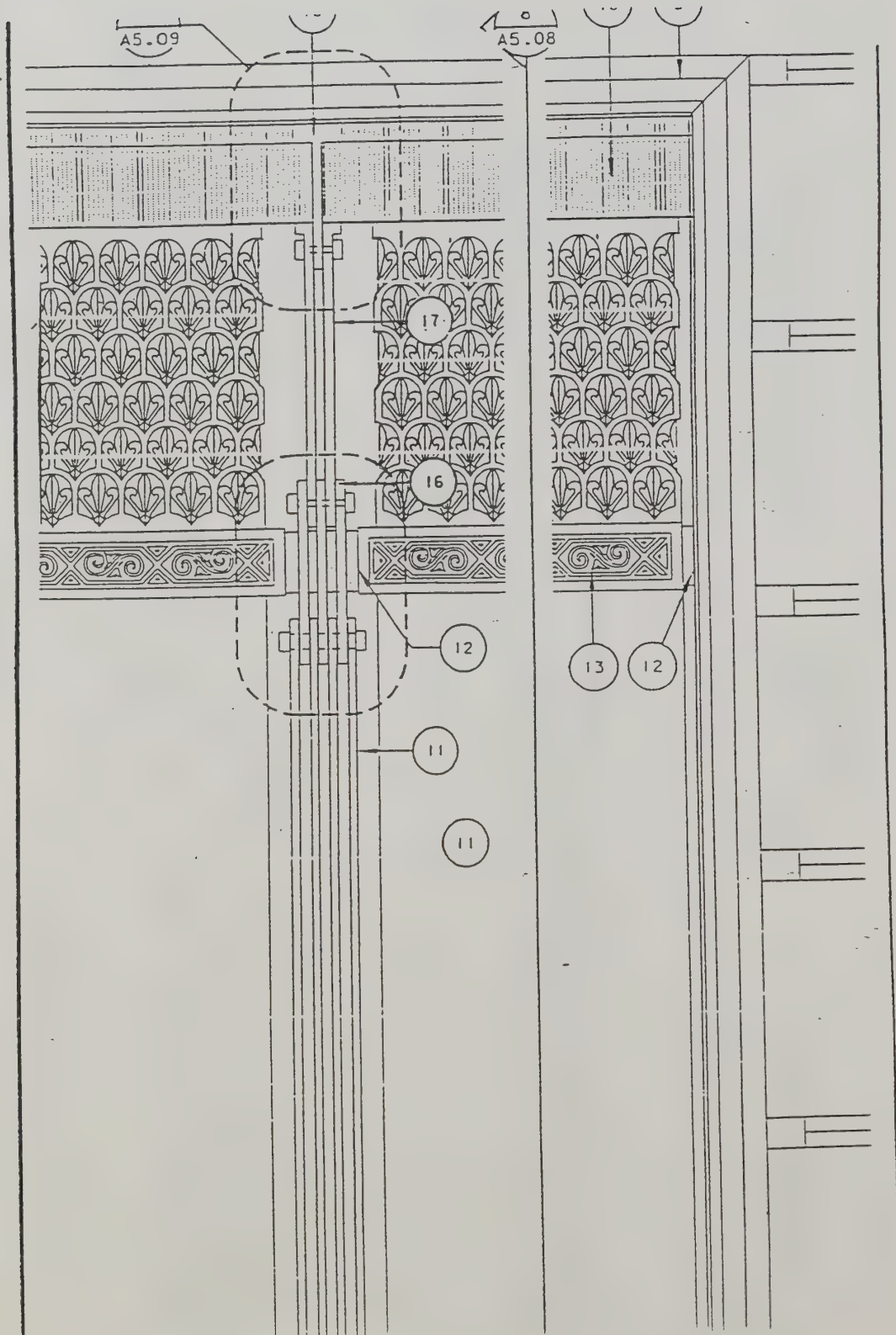
ONTARIO COURT OF JUSTICE - HAMILTON

PROPOSED OPENING TREATMENT IN WEST WALL OF
HERITAGE LOBBY 1045 "MARBLE HALL" - GROUND FLOOR
K1-1-01
29 JULY 96

SKA-260B



task (4) public access computers



9'-6 1/2"

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1996 and respectfully recommends:

1. That the City accept the Hamilton and District Labour Council's offer to resolve the City's claim for costs of site preparation, clean up and site restoration arising out of the Labour Council's use of Dundurn Park and Bayfront Park on 1996 February 23rd and 24th for the Days of Protest Rallies, for a total payment of \$3,500.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Collins. -1.

CARRIED.

2. That the City agree to indemnify the Public Works and Traffic Department employee, charged under the Occupational Health and Safety Act, by Summons Number 23586544, for legal fees incurred in the defence of said charge, provided that:
 - (a) There is an acquittal on the charges, or the charges are withdrawn; and,
 - (b) The City Solicitor is satisfied that the legal fees incurred are reasonable under all of the circumstances of the case.
3.
 - (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 3814/95 by the payment to the Plaintiff, Lucy Myszkowski, of the sum of \$1,500, inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Small Claims Court Action No. 3814/95 be dismissed without costs.
- 4. (a) That the City of Hamilton decline to accept an Offer to Settle dated 1996 March 25, in Ontario Court of Justice (General Division) Action No. 2006/93, made on behalf of Plaintiff Mary McEwen, which offer provides for:
 - (i) A payment of \$8,000 plus 5% interest from 1993 February 17, to the date of acceptance of the offer for damages; and,
 - (ii) A payment of \$992.41 plus 5% interest as above for OHIP costs; and,
 - (iii) Payment of the Plaintiffs costs on a party and party basis to be agreed or assessed; and,
- (b) That the City of Hamilton offer to settle Ontario Court of Justice (General Division) Action No. 2006/93 by a payment of \$12,500, including general and special damages, OHIP subrogation, interest, and costs, to the Plaintiff, Mary McEwen; and,
- (c) That the City of Hamilton obtain from Mary McEwen, a Release satisfactory to the City Solicitor and that Ontario Court of Justice (General Division) Action No. 2006/93 be dismissed as against the City of Hamilton without costs.
- 5. (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 5454/96 by the payment to the Plaintiff, Francis Albert Johnson, of the sum of \$750, inclusive of all damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Small Claims Court Action No. 5454/96 be dismissed without costs.
- 6. That approval be given to the action of the City Clerk in authorizing the Hamilton-Wentworth Regional Police Community Auto-Theft Reduction Project to set up a display in the second floor foyer at City Hall on Monday, 1996 July 15 from 11:30 a.m. to 1:30 p.m. to provide information on auto-theft reduction.

7. That approval be given to the request of the Chinese Community to use the City Hall Forecourt and related equipment, together with first floor washroom access, from 1:00 to 3:00 p.m. on Sunday, 1996 September 22 for a fundraising Walkathon for the United Way.
8. That approval be given to the action taken by the City Clerk in authorizing Hamilton Sesquicentennial Celebrations Inc. to display a birthday ribbon and bow on the Council Chamber balcony from 1996 July 12 (Hamilton's birthday) until the end of 1996 (or until its condition becomes deteriorated).
9. That approval be given to the request of the Hamilton Status of Women Sub-Committee and the Hamilton Safety Council to use the City Hall Council Chambers, second floor foyer and second floor meetings rooms on Saturday, 1996 September 14 from 8:00 a.m. to 2:00 p.m. for the purposes of conducting a Safety Workshop and the use of the second floor foyer from 1996 September 11 - 14 to display safety-related exhibits.
10. That approval be given to the action taken by the City Clerk in authorizing the Canadian Cure Campaign to use the City Hall Forecourt and related equipment on Tuesday, 1996 August 13 from 12:00 noon to 1:00 p.m. for the purposes of holding a reception to welcome Christine Ichim who is in-line skating across Canada to raise funds for Leukemia Research.
11. That approval be given to the action taken by the City Clerk in authorizing the erection of a thermometer fundraising gauge, similar to the one used annually by the United Way, on the City Hall Forecourt for the purpose of showing funds raised for the Quebec Flood Relief Fund.
12. That approval be given to the action taken by the City Clerk in authorizing the erection of a reviewing stand on the City Hall Forecourt on Saturday, 1996 August 17 from 11:00 a.m. to 1:30 p.m. in conjunction with the Kaleidoscope Parade organized by the Hamilton Caribbean Canadian Community.

13. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

1485 Main East	696 King East
90 Queen South	220 Cannon East
134 Ontario Avenue	27 William Street
1605 King East	344 Darlington Crescent
60 Farmer Court	84 Royal Vista Drive
37 Huxley South	180 Queensdale East
232 East 45th	64 Beechwood
20 Beland South	479 King East
1396 Upper Ottawa #14	50 Weir South
477 King East	1 South Oval
322 Herkimer Street	300 Glennie Avenue
162 Campbell Avenue	6 Lampton Place

- (b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
14. (a) That as referred to in Section 5 of the Eleventh Report for 1996 of the Parks and Recreation Committee, the City Treasurer be authorized to increase the gross cost of the project - Dundurn Castle Restoration Completion South and West Facades including Dovecote and Stables, Account Centre No. CF719441022 from \$2,726,000 to \$2,857,251 by \$131,251; and,
- (b) That the increased cost of the above project in the amount of \$131,251 be financed as follows:

<u>Account Centre No.</u>	<u>Description</u>	<u>Financing</u>	<u>Amount</u>
CF719141002	Dundurn Castle Restoration	Reserve - Cap.Proj.	\$ 26,439
CF719141008	Dundurn Castle, Cockpit Theatre	Reserve - Cap.Proj.	22,806
CF719355010	Dundurn Castle Restoration Study	Reserve - Cap.Proj.	2,545

CH25213-00183	Dundurn Castle - Furnishing Restoration Trust	Trust Fund	26,641
CH25210-00183	Castle Restoration Trust	Trust Fund	14,771
CH25300-00213	Dundurn Castle Rental Trust	Trust Fund	5,565
CH25211-00183	Museum Acquisition Trust	Trust Fund	32,484
			<u>\$131,251</u>

- (c) That the City Solicitor be authorized to revise By-law No. 94-095 to incorporate revised gross cost of the project noted in (a) above.

15. That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing as and when required during 1996/97 to Purchasing Stores, being the lowest acceptable of three tenders received, in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

Grey Trousers	\$13.75 Pr.
Short Sleeve Grey Shirts	13.60 Each
Long Sleeve Grey Shirts	15.45 "
Grey Uniform Jackets	29.95 "
Grey Crested Coveralls	29.95 "
Grey Overalls	28.95 "
Parkas	39.95 "
Bomber Jackets	39.90 "
Golf Shirts	13.95 "
Cadet Vests	25.95 "
T-Shirts	8.50 "

All taxes extra

16. That the listing of Appointments to and Terminations from Permanent positions with the Corporation of the City of Hamilton to 1996 August 2, attached herewith and marked Appendix "A", be approved.
17. (a) That authorization be given to issue a Purchase Order in the amount of \$247,166.79 inclusive of G.S.T (\$16,169.79) to commission York International Limited of Mississauga, Ontario to supply and install all necessary labour and materials to complete a major overhaul and refrigerant conversion on the 4 -400 ton centrifugal chillers at Copps Coliseum as per the specifications issued by the Purchasing Division Ref:C14-11-96, this being the Original Equipment Manufacturer and only quotation received; and,

- (b) That this expenditure be financed from the approved Capital Budget accounts CF 319651025 Copps - Overhaul Refrigeration/A.C. Equipment and CF 319641027 Convert Air Conditioning Equipment; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.
- 18.
 - (a) That approval be given to issue a purchase order in the amount of \$61,097, inclusive of G.S.T. (\$3,997), to commission Barton Glass Inc. of Hamilton, to replace the skylight at the Hamilton Farmers' Market., being the lowest price of two quotations received in accordance with the specifications (Ref: C14-10-96) issued by the Purchasing Division; and,
 - (b) That this expenditure be financed through account CF 319641023 Major Maintenance to Civic Buildings
- 19. That 179 Stirton Street be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049, for the purpose of selling the property.
- 20.
 - (a) That funding in the amount of \$2,000 be approved towards the cost of the "Disapora to Jerusalem" Exhibit to be held at McMaster University from 1996 September 4 to November 10; and,
 - (b) That the City Treasurer recommend the method of financing this expenditure.
- 21. That the \$2,000 funding request to offset the cost of the Exhibit Diaspora to Jerusalem at McMaster University be financed as a Convention/Reception Grant account CH 5A050 20020.
- 22. That the Treasurer and the Commissioner of Human Resources be authorized to accept applications from eligible employees who wish to purchase season's tickets to the Hamilton Bulldogs Hockey Club, on a payroll deduction basis, provided:
 - (a) That repayment by the employee will be in equal instalments to be fully paid no later than the end of the applicable season; and,

- (b) That any administrative costs associated with the Hamilton Bulldogs project will be recovered by the City by mutual agreement between the Treasurer and the Hamilton Bulldogs; and,
 - (c) That promotional material with respect to this offer may be forwarded to employees with their pay cheques/stubs on a timely basis.
- 23.
 - (a) That the City Treasurer and Commissioner of Human Resources be authorized to process employee requests for making donations to the Quebec Flood relief Fund through payroll deductions: and
 - (b) That the opportunity to make donations to the Quebec Flood Relief Fund through payroll deductions be communicated to employees.
- 24. That the 1995 Post Audit Letter containing recommendations and comments affecting the City's Accounting Systems, Procedures and Controls and subsequent Management Action be accepted.
- 25. That the analysis of the transactions of the City's Development Charges Reserve for the year 1995 entitled "Development Charge Reserve Fund Statement of Continuity for the period 1995 January 1 to 1995 December 31", attached herewith and marked Appendix "B", be received.
- 26.
 - (a) That the firm of MacGillivray Partners, Chartered Accountants, be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1996 at a fee of \$109,950 including completion of the audit of the City's Financial Report, but excluding G.S.T.; and,
 - (b) That the by-law respecting "To Appoint An External Auditor" be approved by City Council.

27. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to reallocate the excess debenture proceeds of \$892,565.96 from Hydro Street Lighting conversion program, Account Centre No. CF609243008 (O.M.B. No. E920430 dated 1992 June 26) to the following projects:

Transferred to:

<u>Description</u>	<u>Account Centre Number</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law Number</u>	<u>Excess Debenture Proceeds</u>
Major Maintenance to Civic Buildings	CF 319441005	N/A	94-095	\$ 4,086.36
Major Maintenance to Civic Buildings	CF 319541001	N/A	95-090/95-227	9,126.00
Farmer's Market Replacement of Roof	CF 319441012	N/A	94-095	1,081.86
Scott Park Arena - Replacement of Roof	CF 319441008	N/A	94-095	1,376.99
Westmount & Mountain Arena - Boiler Replacement	CF 319441009	N/A	94-095	1,598.00
Copps Coliseum - Steam To Hot Water Conversion	CF 319441013	N/A	94-095	2,116.64
Parkdale Arena	CF 709441023	N/A	95-228	228,805.00
Inch Park Arena	CF 709441024	N/A	95-228	228,805.00
Ivor Wynne Stadium Improvements (Infrastructure)	CF 809453007	N/A	94-135	4,785.02
1994 Roads & Sidewalks Reconstruction Program - Local Roads	CF 529442001	N/A	94-095	\$ 54,332.00
Waterfront Park Washrooms	CF 419454014	N/A	94-123	46,453.09
Enclave Clearance Program	CF 308750001	E 871041 09-Dec-87	88-32	<u>310,000.00</u> <u>\$892,565.96</u>

28. (a) That the "Unallocated MTO Subsidy", Account Centre No. 258742001, be closed and surplus funds in the amount of \$185,951.47, be transferred to the Reserve for Capital Projects CH 00203; and,
- (b) That the City Treasurer be authorized to transfer any surplus financing regarding MTO subsidy allocation from the Road Reconstruction Programmes, City's Share of Local Improvements, and Install/Modernize Traffic Signals projects to be credited to the Reserve for Capital Projects, as outlined in the Committee of the Whole Report dated 1996 January 26 in relation to the City's 1996-2005 Capital Budget Program.

29. That the staff complement of Legal Secretaries in the Law Department remain at seven, and the position of receptionist be deleted, effective 1996 July 1.
30. (a) That the financial contribution commitment of \$100,000 made by the City, in adopting Section 3 of the Eighth Report of the Finance Committee on 1988 April 26 to the Community Adolescent Network of Hamilton (the "Network"), for purchase of lands and the construction of a new facility for adolescent youth, be advanced to the Network on the following terms:
- (i) The Network shall operate the facility now constructed at 131-137 Forest Avenue as a youth home facility and should it sell, transfer or otherwise dispose of the facility, the City shall be reimbursed a percentage of the contribution on the following basis:
- | | | |
|-----|---------------------------------------|---------|
| (l) | to 1998 March 31 | |
| | Amount to be reimbursed: \$100,000.00 | 2 years |
| | 1998 April 1 to 2001 March 31 | |
| | Amount to be reimbursed: \$90,000.00 | 3 years |
| | 2001 April 1 to 2005 March 31 | |
| | Amount to be reimbursed: \$75,000.00 | 4 years |
| | 2005 April 1 to 2010 March 31 | |
| | Amount to be reimbursed: \$50,000.00 | 5 years |
| | 2010 April 1 to 2016 March 31 | |
| | Amount to be reimbursed: \$20,000.00 | 6 years |
| | 2016 March 31 and subsequent | |
| | Amount to be reimbursed: NIL | |
- (ii) The contribution shall be secured by a first mortgage registered on title to the facility lands located at 131-137 Forest Avenue, Hamilton, in the amount of \$100,000 in favour of the Corporation of the City of Hamilton which shall be discharged on 2016 March 31; and,

- (iii) The Network shall maintain all risks property loss insurance in a form acceptable to the City Solicitor naming the City as first loss payee to the amount of the conditional grant; and,
 - (iv) All taxes and other levies due and owing shall be paid as they fall due; and,
 - (v) The City commitment of \$100,000 shall be advanced in one payment upon registration of the mortgage and receipt of all required documentation; and,
- (b) The solicitor for the Network shall prepare, register and provide all documentation required by and in a form acceptable to the City Solicitor; and,
- (c) The Mayor and City Clerk shall be authorized to execute all documents required in connection herewith.
31. (a) That the City of Hamilton accept the Proposal submitted by Global Election Systems for the Rental of 150 Optical Scan Poll Level Tabulation Units for the City of Hamilton's 1997 Municipal Elections; and,
- (b) That the total cost of the Election System Rental not exceed \$135,000. plus applicable taxes (\$115,000 for the System rental, \$20,000 for Election supplies and services); and,
- (c) That the costs of the Election System Rental be funded as follows: \$100,000. from the City's Capital Projects Account, \$35,000, plus all applicable taxes from the Election Reserve Account; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute a Rental Agreement with Global Election Systems in a form satisfactory to the City Clerk and City Solicitor.
32. That approval be granted to authorize the destruction of City of Hamilton Tax Rolls from 1925 to 1990, as recommended by the report of the City's Records Review Committee.

33. (a) That approval be given to issue a purchase order in the amount of \$139,249.80 inclusive of a contingency (\$5,000) and G.S.T. (\$9,109.80) to commission Geonis Mechanical Limited of Stoney Creek, to replace the heating system and cooling system at Dundurn Castle, being the lowest price of three quotations received in accordance with the specifications (Ref: C14-13-96) issued by the Purchasing Division; and,
- (b) That this expenditure be financed through Account CF 319641028 Dundurn Castle Boiler System Renovations \$105,893, exclusive of G.S.T., and Account CF 319641023 Major Maintenance to Civic Buildings \$24,247, exclusive of G.S.T.
34. (a) That an Option to Purchase, executed by Andrew Richard Kay on 1996 July 8, and scheduled to close on or before 1996 September 30, for the lands situated in the City of Hamilton, being composed of Lots 428 and 429, Registered Plan 584, with a frontage of 15.24 metres (50.0 feet), more or less, by a depth of 30.48 metres (100.0 feet), more or less, municipally known as 571 Kenilworth Avenue North, be approved and completed for the purchase price of \$60,000; and,
- (b) That as consideration in the amount of \$2 has been paid to the owner pursuant to the Option to Purchase document, this amount be deducted from the purchase price; and,
- (c) That the Director of Property be authorized to proceed with the demolition of the existing single family dwelling at 571 Kenilworth Avenue North at a cost not to exceed \$10,000 once vacant possession has been received; and,
- (d) That the Finance and Administration Committee recommend the method of financing the purchase and demolition; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents. **REFERRED BACK.**

Recorded vote.

YEAS: Alderman Kiss, Caplan, Drury, Morelli, Eisenberger Collins, Charters, Anderson, Ross. -9.

NAYS: Acting Mayor Merling, Aldermen Agro, McCulloch, Copps, Wilson, Jackson, D'Amico. -7. **CARRIED.**

35. That the City Treasurer be authorized to open a new Capital Project Account in relation to the acquisition and demolition of 571 Kenilworth Avenue North at an estimated amount of \$70,000 and that this project be financed from the Reserve for Capital Projects CH 00203.

NOTE: The above resolution was Lost on a Tie Vote at the Finance and Administration Committee, and at the Committee's direction is being referred to City Council for consideration.

REFERRED BACK.

Recorded vote.

- YEAS: Alderman Kiss, Caplan, Drury, Morelli, Eisenberger Collins, Charters, Anderson, Ross. -9.
- NAYS: Acting Mayor Merling, Aldermen Agro, McCulloch, Copps, Wilson, Jackson, D'Amico. -7. **CARRIED.**

36. That, after hearing the evidence and submission of the complaint from Hamilton Habitat for Humanity, the Council of the City of Hamilton hereby amends the development charges with respect to 607 Queen Victoria Drive, thereby reducing the City's Development Charges of \$1,565.44 to zero (0).
37. (a) That a grant of \$1,500 be made to the Hamilton Caribbean Canadian African Community to offset costs involved in staging the Kaleidoscope Cultural Festival which was held 1996 August 17 and 18; and,
- (b) That this expenditure be charged to Account Number CH 53199-20016 (Unallotted Grants).
38. That the following resolution be approved:

Whereas, occupational health and safety is a priority for the City of Hamilton; and,

Whereas, occupational injuries and illnesses impact on more than just the injured affected parties, but on the community as a whole; and,

Whereas, most occupational injuries and illnesses are preventable; and,

Whereas, the Hamilton clinic has achieved a high level of integration with the local health care system providing consultative services to area health care professionals, employers, unions and joint health and safety committees; and,

Whereas, the community of Hamilton has a long history of support and public activity to improve the work environment,

Now therefore, be it resolved that the City of Hamilton petition the Minister of Labour to continue to fully fund Occupational Health Clinics for Ontario Works.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico. -14.

NAYS: Alderman Anderson. -1.

CARRIED.

39. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-48 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-49 A By-law respecting: Appointment of an External Auditor.
- (c) D-50 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

40. That approval be given to the request of the Hispanic Community to hold a Hispanic Fiesta on the City Hall Forecourt on Sunday, 1996 September 8 from noon until 3:00 p.m. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan Reeder
Secretary
1996 August 20**

Appendix "A" referred
to in Section 16 of the
FOURTEENTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Clark	I	Platoon Chief (C12)	Fire	Replacing Mr. G. Peace - resigned, May 13/96	\$72,764.50	June 23/96
Mr. Jim Flaherty	I	Lead Hand/Truck Driver (D17)	Public Works	Replacing Mr. R. Morris - promoted, May 06/96	\$37,146.72	June 03/96
Ms. Karen Knox	I	Traffic Administrative Clerk (10E)	Traffic	Replacing Ms. C. Alletto - terminated, June 06/96	\$28,868.84 to \$31,684.12	July 15/96
Mr. Frank Lalli	I	Traffic Signal Specialist (18B)	Traffic	Replacing Mr. J. Moyer - retired, December 30/94	\$36,699.21 to \$42,554.79	June 24/96
Mr. Michael McGaw	I	District Chief (C11)	Fire	Replacing Mr. D. Clark - promoted, June 23/96	\$66,992.60	June 23/96

Prepared August 2, 1996

Status =
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Dennis Phillips	I	District Chief (C11)	Fire	Replacing Mr. G. Desjarlais - promoted December 13/95	\$66,992.60	June 23/96
Mr. Terry Rinaldo	I	Tractor Operator (D12)	Public Works	Replacing Mr. J. Flaherty - promoted, June 03/96	\$35,322.56	July 01/96
Mr. Robert Woodfine	I	Traffic Signal Specialist (18B)	Traffic	Replacing Mr. J. Kupina - retired, December 20/94	\$36,699.20 to \$42,554.79	June 24/96

Prepared August 2, 1996

Status -

 Internal - I
 External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Mary Howarth	Secretary	H.E.C.F.I.	Deceased	16 years, 4 months	June 18/96
Mr. Andy Sloggett	Gardener II	Public Works	Terminated	18 years, 11 months	June 24/96
Mr. David Smith	General Foreman/Woman	Culture & Recreation	Resigned	1 year, 1 month	June 14/96

Prepared August 2, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge

Resigned -- personal betterment
 -- personal reasons

Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1995 to December 31, 1995

	Total \$	Indoor Recreation \$	Outdoor Recreation \$	Library Buildings & Materials \$	Traffic Signals \$	Parkland Acquisition \$	Vehicles & Equipment \$	Studies \$	Engineering (area specific) \$	Storm Water Retention \$	Fire Stations \$
Balance as at Jan 01, 1995	6,030,634	1,742,844	951,621	659,888	87,718	0	0	0	1,718,889	0	869,674
Development charges received or receivable	823,914	219,798	138,364	86,002	13,657	20,586	5,379	108	221,692	0	118,328
Development charges refunded	0	0	0	0	0	0	0	0	0	0	0
Interest earned	411,356	119,648	66,999	45,555	5,650	1,873	489	10	114,959	0	56,173
Transferred to the capital fund	7,265,904	2,082,290	1,156,984	791,445	107,025	22,459	5,868	118	2,055,540	0	1,044,175
	(15,000)	0	0	0	(15,000)	0	0	0	0	0	0
Amounts allocated:											
1) Services Through Unsubdivided Lands	(1,718,889)	0	0	0	0	0	0	0	(1,718,889)	0	0
2) Reduction of current debentures	(600,000)	(175,972)	(96,083)	(66,628)	(8,212)	0	0	0	(169,862)	0	(83,243)
Balance as at December 31, 1995	4,932,015	1,906,318	1,060,901	724,817	83,813	22,459	5,868	118	166,789	0	960,932

Appendix "B" referred
to in Section 25 of the
FOURTEENTH Report of
the Finance and
Administration
Committee for 1996.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1996 and respectfully recommends:

1. That the Cab Licence application of James Brophy, 1088½ Barton Street East, Apt. 3, Hamilton, be denied; and,
2. That the Cab Driver Licence of David Elliott, 333 Britannia Avenue, Hamilton, be suspended for a one week period to commence 1996 August 27.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted

**ALDERMAN D. WILSON
CHAIRMAN
HAMILTON LICENSING COMMITTEE**

**Stella Glover
Secretary**

1996 August 10

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIFTH** Report for 1996 and respectfully recommends:

1. That Alderman T. Anderson be appointed Chairman of the Committee of the Whole for the period of September, October and November, 1996.

RESPECTFULLY SUBMITTED

**ACTING MAYOR H. MERLING
CHAIRMAN,
NOMINATING COMMITTEE**

S. G. Hollowell, Secretary
1996 August 27

SGH/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1996 and respectfully recommends:

1. Approval of the following recommendations relative to the 2001 Canada Summer Games:
 - (i) That the principles and terms of a partnership agreement involving the City of Hamilton, City of Brantford and McMaster University as presented as Schedule A, attached hereto be approved.
 - (ii) That the City Solicitor be instructed to draft the partnership agreement
 - (iii) That the Bid strategy and draft budgets be approved, in principle.
 - (iv) That the Interim Bid Committee be authorized to submit a joint Hamilton-Brantford Bid to host the 2001 Canada Summer Games, under the terms of the partnership agreement.
 - (v) That Council, via a by-law, agree to underwrite its share of any operating deficit that may accrue from the hosting of the 2001 Canada Summer Games; and,
 - (vi) That the Finance and Administration Committee be requested to grant permission to fly the Canada Games flag at City Hall for the duration of the Bid Process.
 - (vii) That the City Treasurer be authorized to set up a 2001 Canada Summer Games Capital Project for the City of Hamilton in the gross amount of \$4,500,000, less Federal Contribution of \$1,500,000 and Provincial Contribution of \$1,500,000, subject to the approval of the 2001 Canada Summer Games Bid; and,

- (viii) That the City's cost of \$1,500,000 for the above project be advanced out of the 1997 Capital Budget and the financial parameters for the 1997 Capital Budget be adjusted to stay within the approved Capital financing parameters, and that the project be financed by the issuance of debentures in the amount of \$1,500,000 for a term not to exceed 10 years; and,
- (ix) That the City Solicitor be authorized to prepare appropriate by-law for the above project for the issuance of debentures; and,
- (x) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed 10 years for the above project.

RESPECTFULLY SUBMITTED

ACTING MAYOR H. MERLING, CHAIRMAN
COMMITTEE OF THE WHOLE

S. G. Hollowell, Acting Secretary
1996 August 27

Schedule A

CANADA 2001 SUMMER GAMES

HAMILTON-BRANTFORD-MCMASTERUNIVERSITY PARTNERSHIP PROPOSAL

CONCEPT:

Fiscal constraint is compelling many municipalities considering submission of a Bid to host the 2001 Canada Summer Games to seek partners in order to ensure a viable bid.

Hamilton City Council has directed its staff to seek a partnership agreement with the City of Brantford. The Council is not seeking simply to use a facility not in its ownership, namely a Canada Games class aquatic facility, but is seeking a active minority interest party to share in preparing the Bid, winning the Bid, and hosting the Games.

Hamilton Council's interest in pursuing this partnership was triggered by a letter from Mayor Christopher Friel from Brantford, wherein this arrangement is proposed.

Staff from both cities are recommending a 75-25 partnership with Hamilton as the principal and majority partner. This would extend to the municipal capital and Games deficit components, wherein, the host municipalities must commit \$2M in capital and guarantee to underwrite any operating deficit associated with the Games.

Both municipalities acknowledge McMaster University as a third Bid partner. The University would not be an equity partner per se but would contribute assets to the Games in the form of services, staff and facilities.

It is acknowledged that other agencies will play key non-partner roles in support of the Bid, namely through support and the provision of facilities. Mohawk College, the Hamilton-Wentworth Separate School Board, Royal Henley Corporation and the Dundas Valley Conservation Authority represent institutions in this category.

PARTNERSHIP PRINCIPLES:

The three parties agree to the following principles:

1. That the Bid is stronger with the partners acting together
2. That there are significant and measurable benefits to the three partners that will

accrue through the hosting of the Games

3. That the City of Hamilton will be the lead partner and that the focus of the Games will be in Hamilton.
4. That the City of Brantford will have the opportunity to participate in the Games in a real and active way.
5. That McMaster University will contribute significant services and facilities at reduced cost and that these contributions will be factored in as a financial contribution.
6. Officials from the three partners will be represented on the Bid Committee, Host Society and Friends of the Games.
7. That should the Bid be successful, the partners will empower the Host Society to manage and operate the Games at arms length from the partners.

SPECIFIC ROLES AND ASSIGNMENTS:

1. City of Hamilton:

- a. The City will be the lead partner and focal point for the Games.
- b. The bulk of the events will be held within the City.
- c. The City will supply the majority of the financial and staffing support requirements

2. City of Brantford:

- a. The City will be a minority equity partner.
- b. A minimum of four events, namely diving, swimming and portions of the baseball and softball, subject to approval from the Canada Games Council relative to competitive balance
- c. The City will provide staffing and volunteer support to the Bid Committee and Host Society

3. McMaster University:

- a. The University will be a non-equity partner
- b. It will provide the Athletes Village and medical services facilities
- c. It will provide specified games and practice venues
- d. It will provide staffing resources to the Bid Committee and Host Society

FINANCIAL CONTRIBUTIONS:

1. The City of Hamilton will provide:
 - a. \$1.5M. for the capital budget and receive \$3.0M from senior levels as per formula

- b. Guarantee to underwrite 75% of any operating deficit that might be incurred by the Host Society
 - c. games and practice venues to the Host Society at reasonable rates
2. The City of Brantford will provide:
- a. \$500,000 for capital budget and receive \$1M. from the senior levels as per the formula
 - b. Guarantee to underwrite 25% of any operating deficit that might be incurred by the Host Society.
 - c. games and practice venues to the Host Society at reasonable rates
3. McMaster University will provide:
- a. accommodation and meals for athletes and coaches/managers at discounted rates; discounting to be counted as financial contributions to capital improvements on campus directly related to Games venues
 - b. will not guarantee to underwrite portion of debt.
 - c. will provide other support services as required
 - d. all contributions provided on basis on zero net impact on operating budget.



 **ACCO USA**
WHEELING, ILLINOIS 60090

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